



Council of the
European Union

064183/EU XXVI. GP
Eingelangt am 10/05/19

Brussels, 10 May 2019
(OR. en)

8659/19

**Interinstitutional File:
2018/0400/B(COD)**

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INFORMATION NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 of the Treaty on the Functioning of the European Union

- Outcome of the European Parliament's first reading
(Strasbourg, 15 to 18 April 2019)

I. INTRODUCTION

The rapporteur, József SZÁJER (EPP, HU), presented a report on the proposal for a Regulation on behalf of the Committee on Legal Affairs. The report contained 488 amendments (amendments number 1 to 488) to the proposal.

II. VOTE

When it voted on 17 April 2019, the plenary adopted amendments number 1 to 488 (488 adopted amendments) to the proposal for a Regulation.

The Commission's proposal as thus amended constitutes the Parliament's first-reading position which is contained in its legislative resolution as set out in the Annex hereto¹.

¹ The version of the Parliament's position in the legislative resolution has been marked up to indicate the changes made by the amendments to the Commission's proposal. Additions to the Commission's text are highlighted in ***bold and italics***. The symbol "■" indicates deleted text.

Adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 TFEU - part II *I**

European Parliament legislative resolution of 17 April 2019 on the proposal for a regulation of the European Parliament and of the Council adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 of the Treaty on the Functioning of the European Union (COM(2016)0799 – C8-0148/2019 – 2016/0400B(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2016)0799),
- having regard to Article 294(2) and Article 33, Article 43(2), Article 53(1), Article 62, Article 64(2), Article 91, Article 100(2), Article 114, Article 153(2)(b), Article 168(4) (a), Article 168(4)(b), Article 172, Article 192(1), Article 207, Article 214(3), and Article 338(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0148/2019),
- having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis,
- having regard to Article 294(3) and Article 43(2), Article 53(1), Article 62, Article 91, Article 100(2), Article 114, Article 153(2)(b), Article 168(4) (a), Article 168(4)(b), Article 192(1) and Article 338(1) of the Treaty on the Functioning of the European Union,
- having regard to the opinion of the European Economic and Social Committee of 1 June 2017¹,
- having regard to the opinion of the Committee of the Regions of 1 December 2017²,
- having regard to the letters of the Committee on Employment and Social Affairs, the Committee on the Environment, Public Health and Food Safety, the Committee on Industry, Research and Energy and the Committee on the Internal Market and Consumer Protection,
- having regard to the decision by the Conference of Presidents of 7 March 2019 to authorise the Committee on Legal Affairs to split the above-mentioned Commission proposal and to draw up two separate legislative reports on the basis thereof,
- having regard to the report of the Committee on Legal Affairs (A8-0020/2018),
- having regard to Rules 59 and 39 of its Rules of Procedure,
- having regard to the report of the Committee on Legal Affairs and also the opinions and

¹ OJ C 288, 31.8.2017, p. 29.

² OJ C 164, 8.5.2018, p. 82.

position in the form of amendments of the Committee on Economic and Monetary Affairs, the Committee on the Environment, Public Health and Food Safety, the Committee on Transport and Tourism and the Committee on Agriculture and Rural Development (A8-0190/2019),

1. Adopts its position at first reading hereinafter set out;
2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a regulation Citation 2

Text proposed by the Commission

Having regard to the Treaty on the Functioning of the European Union, and in particular *Article 33, Article 43(2), Article 53(1), Article 62, Article 64(2), Article 91, Article 100(2), Article 114, Article 153(2)(b), Article 168(4) (a), Article 168(4)(b), Article 172, Article 192(1), Article 207, Article 214(3), and Article 338(1)* thereof,

Amendment

Having regard to the Treaty on the Functioning of the European Union, and in particular *Article 43(2), Article 53(1), Article 62, Article 91, Article 100(2), Article 114, Article 153(2)(b), Article 168(4)(a), Article 168(4)(b), Article 192(1) and Article 338(1)* thereof,

Amendment 2

Proposal for a regulation Recital 1

Text proposed by the Commission

(1) The Treaty of Lisbon ***introduced a*** distinction between powers delegated to the Commission to adopt non-legislative acts of general application to supplement or amend certain non-essential elements of a legislative act (delegated acts), and the powers conferred upon the Commission to adopt acts to ensure uniform conditions for implementing legally binding Union acts (implementing acts).

Amendment

(1) The Treaty of Lisbon ***has substantially modified the legal framework governing the powers conferred on the Commission by the legislator, introducing a clear*** distinction between powers delegated to the Commission to adopt non-legislative acts of general application to supplement or amend certain non-essential elements of a legislative act (delegated acts), and the powers conferred upon the Commission to adopt acts to ensure uniform conditions for implementing legally binding Union acts (implementing acts).

Amendment 3

Proposal for a regulation
Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) Bundling and presenting empowerments that are not closely linked with each other within a single delegated act of the Commission impedes the exercise of Parliament's right of scrutiny, as it is forced to simply accept or refuse the entire delegated act, which leaves no room to express an opinion on each empowerment individually.

Amendment 4

Proposal for a regulation
Annex I – Part I – point 1 – paragraph 2 – point 1

Directive [2009/31/EC](#)

Article 29 – paragraph 1

Text proposed by the Commission

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 29a amending the Annexes.

The Commission is empowered to adopt delegated acts in accordance with Article 29a amending the Annexes ***to this Directive in order to adapt to technical and scientific progress.***

Amendment 5

Proposal for a regulation
Annex I – Part I – point 1 – paragraph 2 – point 2

Directive [2009/31/EC](#)

Article 29a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 29 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 29 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 6

Proposal for a regulation

Annex I – Part I – point 1 – paragraph 2 – point 3

Directive 2009/31/EC

Article 30

Text proposed by the Commission

(3) Article 30 is ***deleted***.

Amendment

(3) Article 30 is ***replaced by the following***:

“Article 30

Committee procedure

1. The Commission shall be assisted by the Climate Change Committee established by Article 26 of Regulation (EU) No 525/2013 of the European Parliament and of the Council*. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council**.

2. *Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.”*

** Regulation (EU) No 525/2013 of the European Parliament and of the Council of 21 May 2013 on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change and repealing Decision No 280/2004/EC (OJ L 165, 18.6.2013, p. 13).*

***Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission’s exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).*

Amendment 7

Proposal for a regulation Annex I – Part I – point 2

Text proposed by the Commission

Amendment

[...]

deleted

Amendment 8

Proposal for a regulation Annex I – Part I – point 3 – paragraph 3 – point 1

Regulation (EC) No 1005/2009

Article 7 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 24a concerning the form and content of the label to be used.”

“The Commission is empowered to adopt delegated acts in accordance with Article 24a *to supplement this Regulation by establishing rules* concerning the form and content of the label to be used.”

Amendment 9

Proposal for a regulation

Annex I – Part I – point 3 – paragraph 3 – point 2 – point a

Regulation (EC) No 1005/2009

Article 8 – paragraph 3 – subparagraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 24a concerning the form and content of the label to be used.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 24a *to supplement this Regulation by establishing rules* concerning the form and content of the label to be used.”

Amendment 10

Proposal for a regulation

Annex I – Part I – point 3 – paragraph 3 – point 3 – point a

Regulation (EC) No 1005/2009

Article 10 – paragraph 3 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 24a concerning the form and content of the label to be used.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 24a *to supplement this Regulation by establishing rules* concerning the form and content of the label to be used.

Amendment 11

Proposal for a regulation

Annex I – Part I – point 3 – paragraph 3 – point 3 – point b

Regulation (EC) No 1005/2009

Article 10 – paragraph 6 – subparagraph 3

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 24a concerning a mechanism for the allocation of quotas to producers and importers.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 24a **to supplement this Regulation by establishing rules** concerning a mechanism for the allocation of quotas to producers and importers.

Amendment 12

Proposal for a regulation

Annex I – Part I – point 3 – paragraph 3 – point 6

Regulation (EC) No 1005/2009

Article 19 – paragraph 1

Text proposed by the Commission

"The Commission is empowered to adopt delegated acts in accordance with Article 24a concerning additional measures for the monitoring of controlled substances or new substances and of products and equipment containing or relying on controlled substances placed under temporary storage, customs warehousing or free zone procedure or in transit through the customs territory of the Union and subsequently re-exported, on the basis of an evaluation of the potential risks of illegal trade linked to such movements, taking into account the environmental benefits and socio-economic impacts of such measures."

Amendment

"The Commission is empowered to adopt delegated acts in accordance with Article 24a **to supplement this Regulation by establishing rules** concerning additional measures for the monitoring of controlled substances or new substances and of products and equipment containing or relying on controlled substances placed under temporary storage, customs warehousing or free zone procedure or in transit through the customs territory of the Union and subsequently re-exported, on the basis of an evaluation of the potential risks of illegal trade linked to such movements, taking into account the environmental benefits and socio-economic impacts of such measures."

Amendment 13

Proposal for a regulation

Annex I – Part I – point 3 – paragraph 3 – point 7

Regulation (EC) No 1005/2009

Article 20 – paragraph 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 24a **concerning** the rules, in line with decisions taken by the Parties, applicable to the release for free circulation in the Union of products and equipment imported from any State not party to the Protocol which were produced using controlled substances but do not contain substances which can be positively identified as controlled substances. The identification of such products and equipment shall comply with periodical technical advice given to the Parties.”

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 24a **to supplement this Regulation by establishing** the rules, in line with decisions taken by the Parties, applicable to the release for free circulation in the Union of products and equipment imported from any State not party to the Protocol which were produced using controlled substances but do not contain substances which can be positively identified as controlled substances. The identification of such products and equipment shall comply with periodical technical advice given to the Parties.”

Amendment 14

Proposal for a regulation

Annex I – Part I – point 3 – paragraph 3 – point 8 – point b

Regulation (EC) No 1005/2009

Article 22 – paragraph 4 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 24a concerning a list of products and equipment, in line with decisions taken by the Parties, for which the recovery of controlled substances or destruction of products and equipment without prior recovery of controlled substances shall be considered technically and economically

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 24a **to supplement this Regulation by establishing rules** concerning a list of products and equipment, in line with decisions taken by the Parties, for which the recovery of controlled substances or destruction of products and equipment without prior recovery of controlled

feasible, specifying, if appropriate, the technologies to be applied.

substances shall be considered technically and economically feasible, specifying, if appropriate, the technologies to be applied.

Amendment 15

Proposal for a regulation

Annex I – Part I – point 3 – paragraph 3 – point 8 – point c

Regulation (EC) No 1005/2009

Article 22 – paragraph 5 – subparagraphs 2 and 3

Text proposed by the Commission

“The Commission shall evaluate the measures taken by the Member States and is empowered to adopt delegated acts in accordance with Article 24a concerning those minimum qualification requirements, in the light of that evaluation and of technical and other relevant information.”

Amendment

“The Commission shall evaluate the measures taken by the Member States and is empowered to adopt delegated acts in accordance with Article 24a **to supplement this Regulation by establishing rules** concerning those minimum qualification requirements, in the light of that evaluation and of technical and other relevant information.”

Amendment 16

Proposal for a regulation

Annex I – Part I – point 3 – paragraph 3 – point 9 – point a – point i

Regulation (EC) No 1005/2009

Article 23 – paragraph 4 – subparagraph 1

Text proposed by the Commission

“Member States shall define the minimum qualification requirements for the personnel carrying out activities referred to in paragraph 2. In the light of an evaluation of those measures taken by the Member States and of technical and other relevant information, the Commission is empowered to adopt delegated acts in

Amendment

“Member States shall define the minimum qualification requirements for the personnel carrying out activities referred to in paragraph 2. In the light of an evaluation of those measures taken by the Member States and of technical and other relevant information, the Commission is empowered to adopt delegated acts in

accordance with Article 24a concerning the harmonisation of those minimum qualification requirements.”

accordance with Article 24a *to supplement this Regulation by establishing rules* concerning the harmonisation of those minimum qualification requirements.”

Amendment 17

Proposal for a regulation

Annex I – Part I – point 3 – paragraph 3 – point 9 – point b

Regulation (EC) No 1005/2009

Article 23 – paragraph 7

Text proposed by the Commission

“7. The Commission is empowered to adopt delegated acts in accordance with Article 24a establishing a list of technologies or practices to be used by undertakings to prevent and minimise any leakage and emissions of controlled substances.”

Amendment

“7. The Commission is empowered to adopt delegated acts in accordance with Article 24a *to supplement this Regulation by* establishing a list of technologies or practices to be used by undertakings to prevent and minimise any leakage and emissions of controlled substances.”

Amendment 18

Proposal for a regulation

Annex I – Part I – point 3 – paragraph 3 – point 11

Regulation (EC) No 1005/2009

Article 24a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 7(2), Article 8(3) and (5), Article 10(3) and (6), Article 13(2), Article 18(9), Article 19, Article 20(2), Article 22(3), (4) and (5), Article 23(4) and (7), Article 24(2) and (3), Article 26(3) and Article 27(10) shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of

Amendment

2. The power to adopt delegated acts referred to in Article 7(2), Article 8(3) and (5), Article 10(3) and (6), Article 13(2), Article 18(9), Article 19, Article 20(2), Article 22(3), (4) and (5), Article 23(4) and (7), Article 24(2) and (3), Article 26(3) and Article 27(10) shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this

this *Omnibus*].

amending 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 19

Proposal for a regulation

Annex I – Part I – point 3 – paragraph 3 – point 14

Regulation (EC) No 1005/2009

Article 27 – paragraph 10

Text proposed by the Commission

“10. The Commission is empowered to adopt delegated acts in accordance with Article 24a *concerning amendments* to the reporting requirements laid down in paragraphs *1 to 7* of this Article in order to meet the commitments under the Protocol or to facilitate their application.”

Amendment

“10. The Commission is empowered to adopt delegated acts in accordance with Article 24a to *amend* the reporting requirements laid down in paragraphs *1 to 7* of this Article in order to meet the commitments under the Protocol or to facilitate their application.”

Amendment 20

Proposal for a regulation

Annex I – Part II – point 4 – paragraph 2 – point 1

Directive 2002/58/EC

Article 4 – paragraph 5

Text proposed by the Commission

“5. The Commission is empowered to adopt delegated acts in accordance with Article 14b, *concerning* the circumstances,

Amendment

“5. The Commission is empowered to adopt delegated acts in accordance with Article 14b *to supplement this Directive in*

format and procedures applicable to the information and notification requirements referred to in paragraphs 2, 3 and 4 of this Article, following consultation with the European Network and Information Security Agency (ENISA), the Working Party on the Protection of Individuals with regard to the Processing of Personal Data established by Article 29 of Directive 95/46/EC and the European Data Protection Supervisor.”

respect of the circumstances, format and procedures applicable to the information and notification requirements referred to in paragraphs 2, 3 and 4 of this Article, following consultation with the European Network and Information Security Agency (ENISA), the Working Party on the Protection of Individuals with regard to the Processing of Personal Data established by Article 29 of Directive 95/46/EC and the European Data Protection Supervisor.”

Amendment 21

Proposal for a regulation

Annex I – Part II – point 4 – paragraph 2 – point 3

Directive 2002/58/EC

Article 14b – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(5) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [from the date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 4(5) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 22

Proposal for a regulation

Annex I – Part IV – point 8 – paragraph 2 – point 3

Directive 89/391/EEC

Article 17b – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 16a shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 16a shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 23

Proposal for a regulation

Annex I – Part IV – point 16 – paragraph 2 – point 2

Directive 92/91/EEC

Article 11a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in 11 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 24

Proposal for a regulation

Annex I – Part IV – point 17 – paragraph 2 – point 2

Directive 92/104/EEC

Article 11a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for *a* period of *five years* from ...[date of entry into force of this *amending 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 25

Proposal for a regulation

Annex I – Part IV – point 18 – paragraph 2 – point 2

Directive 93/103/EC

Article 12a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 12 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 12 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 26

Proposal for a regulation

Annex I – Part IV – point 21 – paragraph 2 – point 2

Directive 1999/92/EC

Article 10a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 27

Proposal for a regulation

Annex I – Part IV – point 22 – paragraph 2 – point 2

Directive 2000/54/EC

Article 19a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 19 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 19 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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 28

Proposal for a regulation

Annex I – Part IV – point 27 – paragraph 2 – point 2

Directive 2009/104/EC

Article 11a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 29

Proposal for a regulation

Annex I – Part V – point 29 – paragraph 2 – point 1

Directive 2009/73/EC

Article 6 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts in accordance with Article 50a establishing Guidelines for regional cooperation in a spirit of solidarity.”

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 50a ***to supplement this Directive by*** establishing Guidelines for regional cooperation in a spirit of solidarity.”

Amendment 30

Proposal for a regulation

Annex I – Part V – point 29 – paragraph 2 – point 2

Directive 2009/73/EC

Article 11 – paragraph 10

Text proposed by the Commission

“10. The Commission is empowered to adopt delegated acts in accordance with Article 50a establishing Guidelines setting out the details of the procedure to be followed for the application of this Article.”

Amendment

“10. The Commission is empowered to adopt delegated acts in accordance with Article 50a **to supplement this Directive by** establishing Guidelines setting out the details of the procedure to be followed for the application of this Article.”

Amendment 31

Proposal for a regulation

Annex I – Part V – point 29 – paragraph 2 – point 3

Directive 2009/73/EC

Article 15 – paragraph 3

Text proposed by the Commission

“3. The Commission is empowered to adopt delegated acts in accordance with Article 50a establishing Guidelines to ensure full and effective compliance of the transmission system owner and of the storage system operator with paragraph 2 of this Article.”

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 50a **to supplement this Directive by** establishing Guidelines to ensure full and effective compliance of the transmission system owner and of the storage system operator with paragraph 2 of this Article.”

Amendment 32

Proposal for a regulation

Annex I – Part V – point 29 – paragraph 2 – point 4

Directive 2009/73/EC

Article 36 – paragraph 10

Text proposed by the Commission

“10. The Commission is empowered to adopt delegated acts in accordance with Article 50a establishing Guidelines for the application of the conditions laid down in paragraph 1 of this Article and setting out

Amendment

“10. The Commission is empowered to adopt delegated acts in accordance with Article 50a **to supplement this Directive by** establishing Guidelines for the application of the conditions laid down in paragraph 1

the procedure to be followed for the application of paragraphs 3, 6, 8 and 9 of this Article.”

of this Article and setting out the procedure to be followed for the application of paragraphs 3, 6, 8 and 9 of this Article.”

Amendment 33

Proposal for a regulation

Annex I – Part V – point 29 – paragraph 2 – point 5

Directive 2009/73/EC

Article 42 – paragraph 5

Text proposed by the Commission

“5. The Commission is empowered to adopt delegated acts in accordance with Article 50a establishing Guidelines on the extent of the duties of the regulatory authorities to cooperate with each other and with the Agency.”

Amendment

“5. The Commission is empowered to adopt delegated acts in accordance with Article 50a **to supplement this Directive by** establishing Guidelines on the extent of the duties of the regulatory authorities to cooperate with each other and with the Agency.”

Amendment 34

Proposal for a regulation

Annex I – Part V – point 29 – paragraph 2 – point 6

Directive 2009/73/EC

Article 43 – paragraph 9

Text proposed by the Commission

“9. The Commission is empowered to adopt delegated acts in accordance with Article 50a establishing Guidelines setting out the details of the procedure to be followed by the regulatory authorities, the Agency and the Commission as regards the compliance of decisions taken by regulatory authorities with the Guidelines referred to in this Article.”

Amendment

“9. The Commission is empowered to adopt delegated acts in accordance with Article 50a **to supplement this Directive by** establishing Guidelines setting out the details of the procedure to be followed by the regulatory authorities, the Agency and the Commission as regards the compliance of decisions taken by regulatory authorities with the Guidelines referred to in this Article.”

Amendment 35

Proposal for a regulation

Annex I – Part V – point 29 – paragraph 2 – point 7

Directive 2009/73/EC

Article 44 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts in accordance with Article 50a establishing Guidelines which specify the methods and arrangements for record keeping as well as the form and content of the data that shall be kept.”

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 50a **to supplement this Directive by** establishing Guidelines which specify the methods and arrangements for record keeping as well as the form and content of the data that shall be kept.”

Amendment 36

Proposal for a regulation

Annex I – Part V – point 29 – paragraph 2 – point 8

Directive 2009/73/EC

Article 50a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6(4), Article 11(10), Article 15(3), Article 36(10), Article 42(5), Article 43(9) and Article 44(4) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 6(4), Article 11(10), Article 15(3), Article 36(10), Article 42(5), Article 43(9) and Article 44(4) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 37

Proposal for a regulation

Annex I – Part V – point 30 – paragraph 2 – point 1

Regulation (EC) No 715/2009

Article 3 – paragraph 5

Text proposed by the Commission

“5. The Commission is empowered to adopt delegated acts in accordance with Article 27a establishing Guidelines setting out the details of the procedure to be followed for the application of paragraphs 1 and 2 of this Article.”

Amendment

“5. The Commission is empowered to adopt delegated acts in accordance with Article 27a **to supplement this Regulation by** establishing Guidelines setting out the details of the procedure to be followed for the application of paragraphs 1 and 2 of this Article.”

Amendment 38

Proposal for a regulation

Annex I – Part V – point 30 – paragraph 2 – point 2

Regulation (EC) No 715/2009

Article 6 – paragraph 11 – subparagraph 2

Text proposed by the Commission

“Where the Commission proposes to adopt a network code on its own initiative, the Commission shall consult the Agency, the ENTSO for Gas and all relevant stakeholders in regard to the draft network code during a period of no less than two months. The Commission is empowered to

Amendment

“Where the Commission proposes to adopt a network code on its own initiative, the Commission shall consult the Agency, the ENTSO for Gas and all relevant stakeholders in regard to the draft network code during a period of no less than two months. The Commission is empowered to

adopt delegated acts in accordance with Article 27a adopting such network codes.”

adopt delegated acts in accordance with Article 27a **to supplement this Regulation by** adopting such network codes.”

Amendment 39

Proposal for a regulation

Annex I – Part V – point 30 – paragraph 2 – point 4

Regulation (EC) No 715/2009

Article 12 – paragraph 3 – subparagraph 1

Text proposed by the Commission

“For the purposes of achieving the goals set out in paragraphs 1 and 2 of this Article, the Commission is empowered to adopt delegated acts in accordance with Article 27a determining the geographical area covered by each regional cooperation structure, taking into account existing regional cooperation structures. For that purpose, the Commission shall consult the Agency and the ENTSO for Gas.”

Amendment

“For the purposes of achieving the goals set out in paragraphs 1 and 2 of this Article, the Commission is empowered to adopt delegated acts in accordance with Article 27a **to supplement this Regulation by** determining the geographical area covered by each regional cooperation structure, taking into account existing regional cooperation structures. For that purpose, the Commission shall consult the Agency and the ENTSO for Gas.”

Amendment 40

Proposal for a regulation

Annex I – Part V – point 30 – paragraph 2 – point 5

Regulation (EC) No 715/2009

Article 23 – paragraph 2 – subparagraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 27a establishing Guidelines on the issues listed in paragraph 1 of this Article and **amending** the Guidelines referred to in points (a), (b) and (c) thereof.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 27a **to supplement this Regulation by** establishing Guidelines on the issues listed in paragraph 1 of this Article and **to amend** the Guidelines referred to in points (a), (b)

and (c) thereof.”

Amendment 41

Proposal for a regulation

Annex I – Part V – point 30 – paragraph 2 – point 6

Regulation (EC) No 715/2009

Article 27a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3(5), Article 6(11), Article 7(3), Article 12(3) and Article 23(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 3(5), Article 6(11), Article 7(3), Article 12(3) and Article 23(2) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 42

Proposal for a regulation

Annex I – Part VI – point 32 – paragraph 2 – point 6

Directive 91/271/EEC

Article 17a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3(2), Article 4(3), Article 5(3), Article 11(2) and Article 12(3) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 3(2), Article 4(3), Article 5(3), Article 11(2) and Article 12(3) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 43

Proposal for a regulation

Annex I – Part VI – point 33 – paragraph 2 – point 2

Directive 91/676/EEC

Article 8a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 44

Proposal for a regulation

Annex I – Part VI – point 35 – paragraph 2 – point 1

Directive 96/59/EC

Article 10 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission is empowered to adopt delegated acts in accordance with Article 10b:

Amendment

2. The Commission is empowered to adopt delegated acts in accordance with Article 10b *to supplement this Directive for the following purposes:*

Amendment 45

Proposal for a regulation

Annex I – Part VI – point 35 – paragraph 2 – point 3

Directive 96/59/EC

Article 10b – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 10(2) shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 10(2) shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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 46

Proposal for a regulation

Annex I – Part VI – point 36 – paragraph 4 – point 2

Directive 98/83/EC

Article 11a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 11(2) shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 11(2) shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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 47

Proposal for a regulation

Annex I – Part VI – point 37 – paragraph 3 – point 2

Directive 2000/53/EC

Article 5 – paragraph 5 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 9a **concerning** minimum requirements for the certificate of destruction.;

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 9a **to supplement this Directive by establishing** minimum requirements for the certificate of destruction.

Amendment 48

Proposal for a regulation

Annex I – Part VI – point 37 – paragraph 3 – point 4

Directive 2000/53/EC

Article 7 – paragraph 2 – subparagraph 3

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 9a **concerning** the detailed rules necessary to control compliance of Member States with the targets set out in the first subparagraph. When preparing such rules, the Commission shall take into account all relevant factors, inter alia, the availability of data and the issue of exports and imports of end-of-life vehicles.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 9a **to supplement this Directive by establishing** the detailed rules necessary to control compliance of Member States with the targets set out in the first subparagraph. When preparing such rules, the Commission shall take into account all relevant factors, inter alia, the availability of data and the issue of exports and imports of end-of-life vehicles.”

Amendment 49

Proposal for a regulation

Annex I – Part VI – point 37 – paragraph 3 – point 5

Directive 2000/53/EC

Article 8 – paragraph 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with

Article 9a *concerning* the standards referred to in paragraph 1. When preparing such standards, the Commission shall take account of the work going on in this area in the relevant international forums and contribute to this work as appropriate.”

Article 9a *to supplement this Directive by establishing* the standards referred to in paragraph 1. When preparing such standards, the Commission shall take account of the work going on in this area in the relevant international forums and contribute to this work as appropriate.”

Amendment 50

Proposal for a regulation

Annex I – Part VI – point 37 – paragraph 3 – point 6

Directive 2000/53/EC

Article 9a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(2)(b), Article 5(5), Article 6(6), Article 7(2) and Article 8(2) shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in point (b) of Article 4(2), Article 5(5), Article 6(6), Article 7(2) and Article 8(2) shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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 51

Proposal for a regulation

Annex I – Part VI – point 38 – paragraph 3 – point 1

Directive 2000/60/EC

Article 8 – paragraph 3

Text proposed by the Commission

“3. The Commission is empowered to adopt delegated acts in accordance with Article 20a laying down technical specifications and standardised methods for analysis and monitoring of water status.”

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 20a **to supplement this Directive by** laying down technical specifications and standardised methods for analysis and monitoring of water status.”

Amendment 52

Proposal for a regulation

Annex I – Part VI – point 38 – paragraph 3 – point 3

Directive [2000/60/EC](#)

Article 20a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 8(3), in the first subparagraph of Article 20(1) and in Annex V, paragraph 1.4.1, point (ix), shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 8(3), in the first subparagraph of Article 20(1) and in Annex V, paragraph 1.4.1, point (ix), shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 53

Proposal for a regulation

Annex I – Part VI – point 38 – paragraph 3 – point 5

Directive 2000/60/EC

Annex V – paragraph 1.4.1 – point ix

Text proposed by the Commission

“(ix) The Commission is empowered to adopt delegated acts in accordance with Article 20a setting out the results of the intercalibration exercise and establishing the values of the Member State monitoring system classifications in accordance with points (i) to (viii). **It** shall be published within six months of the completion of the intercalibration exercise.”

Amendment

“(ix) The Commission is empowered to adopt delegated acts in accordance with Article 20a **to supplement this Directive by** setting out the results of the intercalibration exercise and **by** establishing the values of the Member State monitoring system classifications in accordance with points (i) to (viii). **They** shall be published within six months of the completion of the intercalibration exercise.”

Amendment 54

Proposal for a regulation

Annex I – Part VI – point 41 – paragraph 2 – point 2

Directive 2004/107/EC

Article 5a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(15) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 4(15) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 55

Proposal for a regulation

Annex I – Part VI – point 42 – paragraph 3 – point 1

Directive 2006/7/EC

Article 15 – paragraph 2 – point a

Text proposed by the Commission

(a) specifying the EN/ISO standard on the equivalence of microbiological methods for the purposes of Article 3(9);

Amendment

(a) **to supplement this Directive by** specifying the EN/ISO standard on the equivalence of microbiological methods for the purposes of Article 3(9);

Amendment 56

Proposal for a regulation

Annex I – Part VI – point 42 – paragraph 3 – point 1

Directive 2006/7/EC

Article 15 – paragraph 2 – point b

Text proposed by the Commission

(b) **amending** Annex I, where necessary in the light of scientific and technical progress, as regards the methods of analysis for the parameters set out in that Annex;

Amendment

(b) **to amend** Annex I, where necessary in the light of scientific and technical progress, as regards the methods of analysis for the parameters set out in that Annex;

Amendment 57

Proposal for a regulation

Annex I – Part VI – point 42 – paragraph 3 – point 1

Directive 2006/7/EC

Article 15 – paragraph 2 – point c

Text proposed by the Commission

(c) **amending** Annex V where necessary in the light of scientific and technical progress.;

Amendment

(c) **to amend** Annex V where necessary in the light of scientific and technical progress.

Amendment 58

Proposal for a regulation

Annex I – Part VI – point 42 – paragraph 3 – point 2

Directive 2006/7/EC

Article 15a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 15(2) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 15(2) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 59

Proposal for a regulation

Annex I – Part VI – point 43 – paragraph 3 – point 1

Directive 2006/21/EC

Article 22 – paragraph 2 – subparagraph 1 – introductory part

Text proposed by the Commission

2. The Commission is empowered to adopt delegated acts in accordance with Article 22a **necessary** for the following:

Amendment

2. The Commission is empowered to adopt delegated acts in accordance with Article 22a **to supplement this Directive** for the following **purposes**:

Amendment 60

Proposal for a regulation

Annex I – Part VI – point 43 – paragraph 3 – point 1

Directive 2006/21/EC

Article 22 – paragraph 2 – subparagraph 1 – point a

Text proposed by the Commission

(a) **the elaboration of** the technical requirements for the purposes of Article 13(6), including technical requirements relating to the definition of weak acid dissociable cyanide and its measurement method;

Amendment

(a) **to elaborate** the technical requirements for the purposes of Article 13(6), including technical requirements relating to the definition of weak acid dissociable cyanide and its measurement method;

Amendment 61

Proposal for a regulation

Annex I – Part VI – point 43 – paragraph 3 – point 1

Directive 2006/21/EC

Article 22 – paragraph 2 – subparagraph 1 – point b

Text proposed by the Commission

(b) **the completion of** the technical requirements for waste characterisation contained in Annex II;

Amendment

(b) **to complete** the technical requirements for waste characterisation contained in Annex II;

Amendment 62

Proposal for a regulation

Annex I – Part VI – point 43 – paragraph 3 – point 1

Directive 2006/21/EC

Article 22 – paragraph 2 – subparagraph 1 – point c

Text proposed by the Commission

(c) *the* interpretation of the definition contained in point 3 of Article 3;

Amendment

(c) *to provide an* interpretation of the definition contained in point 3 of Article 3;

Amendment 63

Proposal for a regulation

Annex I – Part VI – point 43 – paragraph 3 – point 1

Directive 2006/21/EC

Article 22 – paragraph 2 – subparagraph 1 – point d

Text proposed by the Commission

(d) *the definition of* the criteria for the classification of waste facilities in accordance with Annex III;

Amendment

(d) *to define* the criteria for the classification of waste facilities in accordance with Annex III;

Amendment 64

Proposal for a regulation

Annex I – Part VI – point 43 – paragraph 3 – point 1

Directive 2006/21/EC

Article 22 – paragraph 2 – subparagraph 1 – point e

Text proposed by the Commission

(e) *the determination of* any harmonised standards for sampling and analysis methods needed for the technical implementation of this Directive.

Amendment

(e) *to determine* any harmonised standards for sampling and analysis methods needed for the technical implementation of this Directive.

Amendment 65

Proposal for a regulation

Annex I – Part VI – point 43 – paragraph 3 – point 2

Directive 2006/21/EC

Article 22a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 22(2) and (3) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 22(2) and (3) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 66

Proposal for a regulation

Annex I – Part VI – point 44 – paragraph 2 – point 2

Directive 2006/118/EC

Article 8a – paragraph 2

Text proposed by the Commission

Amendment

2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for a period of *five years* from ... [date of entry into force of this *amending 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 67

Proposal for a regulation

Annex I – Part VI – point 46 – paragraph 3 – point 2

Directive 2007/2/EC

Article 7 – paragraph 1

Text proposed by the Commission

“1. The Commission is empowered to adopt delegated acts in accordance with Article 21a laying down technical arrangements for the interoperability and, where practicable, harmonisation of spatial data sets and services. Relevant user requirements, existing initiatives and international standards for the harmonisation of spatial data sets, as well as feasibility and cost-benefit considerations shall be taken into account in the development of those arrangements.”

Amendment

“1. The Commission is empowered to adopt delegated acts in accordance with Article 21a *to supplement this Directive by* laying down technical arrangements for the interoperability and, where practicable, harmonisation of spatial data sets and services. Relevant user requirements, existing initiatives and international standards for the harmonisation of spatial data sets, as well as feasibility and cost-benefit considerations shall be taken into account in the development of those arrangements.”

Amendment 68

Proposal for a regulation

Annex I – Part VI – point 46 – paragraph 3 – point 3

Directive 2007/2/EC

Article 16 – paragraph 1 – introductory part

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 21a **concerning rules**, laying down, in particular, the following **to supplement this Chapter**:

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 21a **to supplement this Directive by** laying down, in particular, the following:

Amendment 69

Proposal for a regulation

Annex I – Part VI – point 46 – paragraph 3 – point 4

Directive 2007/2/EC

Article 17 – paragraph 8 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 21a laying down rules governing those conditions. Those rules shall fully respect the principles set out in paragraphs 1, 2 and 3 of this Article.;

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 21a **to supplement this Directive by** laying down rules governing those conditions. Those rules shall fully respect the principles set out in paragraphs 1, 2 and 3 of this Article.

Amendment 70

Proposal for a regulation

Annex I – Part VI – point 46 – paragraph 3 – point 5

Directive 2007/2/EC

Article 21a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts

Amendment

2. The power to adopt delegated acts

referred to in Article 4(7), Article 7(1), Article 16 and Article 17(8) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

referred to in Article 4(7), Article 7(1), Article 16 and Article 17(8) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 71

Proposal for a regulation

Annex I – Part VI – point 47 – paragraph 2 – point 2

Directive [2007/60/EC](#)

Article 11a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 11(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 11(2) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 72

Proposal for a regulation

Annex I – Part VI – point 48 – paragraph 2 – point 2

Directive 2008/50/EC

Article 28a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 28(1) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 28(1) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 73

Proposal for a regulation

Annex I – Part VI – point 49 – paragraph 2 – point 1

Directive 2008/56/EC

Article 9 – paragraph 3 – subparagraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 24a laying down, by 15 July 2010, criteria and methodological standards to be used by the Member States, on the basis of Annexes I and III, in such a way as to

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 24a ***to supplement this Directive by*** laying down, by 15 July 2010, criteria and methodological standards to be used by the Member States, on the basis of Annexes I

ensure consistency and to allow for comparison between marine regions or sub-regions of the extent to which good environmental status is being achieved.

and III, in such a way as to ensure consistency and to allow for comparison between marine regions or sub-regions of the extent to which good environmental status is being achieved.

Amendment 74

Proposal for a regulation

Annex I – Part VI – point 49 – paragraph 2 – point 2

Directive 2008/56/EC

Article 11 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts in accordance with Article 24a laying down specifications and standardised methods for monitoring and assessment, which take into account existing commitments and ensure comparability between monitoring and assessment results.”

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 24a **to supplement this Directive by** laying down specifications and standardised methods for monitoring and assessment, which take into account existing commitments and ensure comparability between monitoring and assessment results.”

Amendment 75

Proposal for a regulation

Annex I – Part VI – point 49 – paragraph 2 – point 4

Directive 2008/56/EC

Article 24a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 9(3), Article 11(4) and Article 24(1) shall be conferred on the

Amendment

2. The power to adopt delegated acts referred to in Article 9(3), Article 11(4) and Article 24(1) shall be conferred on the

Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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 76

Proposal for a regulation

Annex I – Part VI – point 52 – paragraph 2 – point 2

Directive 2009/147/EC

Article 15a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 15 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 15 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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 77

Proposal for a regulation
Annex I – Part VI – point 53 – paragraph 1

Text proposed by the Commission

In order to update Regulation (EC) No 1221/2009 and to establish evaluation procedures, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Regulation and to supplement it **with** procedures for carrying out the peer evaluation of the EMAS Competent Bodies. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making **of 13 April 2016**. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment

In order to update Regulation (EC) No 1221/2009 and to establish evaluation procedures, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Regulation and to supplement it with procedures for carrying out the peer evaluation of the EMAS Competent Bodies **and to provide sectoral reference documents as well as guidance documents referring to registration of organisations and to harmonisation procedures**. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement **of 13 April 2016** on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment 78

Proposal for a regulation
Annex I – Part VI – point 53 – paragraph 2

Text proposed by the Commission

In order to ensure uniform conditions for the implementation of Regulation (EC) No 1221/2009 implementing powers

Amendment

deleted

should be conferred on the Commission concerning the harmonisation of certain procedures and in relation to sectoral reference documents. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Amendment 79

Proposal for a regulation

Annex I – Part VI – point 53 – paragraph 3 – point 1

Regulation (EC) No 1221/2009

Article 16 – paragraph 4 – subparagraph 1

Text proposed by the Commission

Guidance documents referring to harmonisation procedures approved by the Forum of Competent Bodies shall be adopted by the Commission by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 49(2).

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 48a to supplement this Regulation by establishing guidance documents on the harmonisation procedures approved by the Forum of Competent Bodies.

Amendment 80

Proposal for a regulation

Annex I – Part VI – point 53 – paragraph 3 – point 2

Regulation (EC) No 1221/2009

Article 17 – paragraph 3

Text proposed by the Commission

“3. The Commission is empowered to adopt delegated acts in accordance with Article 48a **concerning** the procedures for carrying out the peer evaluation of the

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 48a **to supplement this Regulation by establishing** the procedures for carrying

EMAS Competent Bodies, including appropriate appeals procedures against decisions taken as a result of the peer evaluation.”

out the peer evaluation of the EMAS Competent Bodies, including appropriate appeals procedures against decisions taken as a result of the peer evaluation.”

Amendment 81

Proposal for a regulation

Annex I – Part VI – point 53 – paragraph 3 – point 3

Regulation (EC) No 1221/2009

Article 30 – paragraph 6 – subparagraph 1

Text proposed by the Commission

The Commission *shall* adopt **guidance documents referring to** harmonisation procedures approved by the Forum of the Accreditation and Licensing Bodies **by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 49(2).**

Amendment

The Commission *is empowered to* adopt **delegated acts in accordance with Article 48a to supplement this Regulation by establishing guidance documents on the** harmonisation procedures approved by the Forum of the Accreditation and Licensing Bodies.

Amendment 82

Proposal for a regulation

Annex I – Part VI – point 53 – paragraph 3 – point 4

Regulation (EC) No 1221/2009

Article 46 – paragraph 6

Text proposed by the Commission

“6. The Commission *shall adopt* the sectoral reference documents referred to in paragraph 1 and the guide referred to in paragraph 4 **by means of implementing acts in accordance with the procedure**

Amendment

“6. The Commission *is empowered to adopt delegated acts in accordance with Article 48a to supplement this Regulation by adopting* the sectoral reference documents referred to in paragraph 1 and

referred to in Article 49(2).”

the guide referred to in paragraph 4.”

Amendment 83

Proposal for a regulation

Annex I – Part VI – point 53 – paragraph 3 – point 6

Regulation (EC) No 1221/2009

Article 48a

Text proposed by the Commission

“Article 48a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 17(3) and Article 48 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].
3. The delegation of power referred to in Article 17(3) and Article 48 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later

Amendment

“Article 48a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article **16(4)**, Article 17(3), **Article 30(6)**, **Article 46(6)** and Article 48 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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.***
3. The delegation of power referred to in Article **16(4)**, Article 17(3), **Article 30(6)**, **Article 46(6)** and Article 48 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official*

date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016**.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 17(3) and Article 48 shall enter into force only if no objection has been expressed either by the European Parliament or *by* the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p. 1.”

Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making *.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article *16(4)*, Article 17(3), *Article 30(6)*, *Article 46(6)* and Article 48 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p. 1.”

Amendment 84

Proposal for a regulation

Annex I – Part VI – point 54 – paragraph 4 – point 1 – point b

Regulation (EC) No 66/2010

Article 6 – paragraph 7 – subparagraph 1

Text proposed by the Commission

For specific categories of goods containing substances referred to in paragraph 6, and only in the event that it is not technically

Amendment

For specific categories of goods containing substances referred to in paragraph 6, and only in the event that it is not technically

feasible to substitute them as such, or via the use of alternative materials or designs, or in the case of products which have a significantly higher overall environment performance compared with other goods of the same category, the Commission is empowered to adopt delegated acts in accordance with Article 15a granting derogations from paragraph 6 of this Article.

feasible to substitute them as such, or via the use of alternative materials or designs, or in the case of products which have a significantly higher overall environment performance compared with other goods of the same category, the Commission is empowered to adopt delegated acts in accordance with Article 15a ***to supplement this Regulation by laying down measures*** granting derogations from paragraph 6 of this Article.

Amendment 85

Proposal for a regulation

Annex I – Part VI – point 54 – paragraph 4 – point 2

Regulation (EC) No 66/2010

Article 8 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 15a laying down, no later than nine months after consulting the EUEB, measures to establish specific EU Ecolabel criteria for each product group. These measures shall be published in the Official Journal of the European Union.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 15a ***to supplement this Regulation by*** laying down, no later than nine months after consulting the EUEB, measures to establish specific EU Ecolabel criteria for each product group. These measures shall be published in the Official Journal of the European Union.

Amendment 86

Proposal for a regulation

Annex I – Part VI – point 54 – paragraph 4 – point 4

Regulation (EC) No 66/2010

Article 15a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6(7), Article 8(2) and Article 15 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 6(7), Article 8(2) and Article 15 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 87

Proposal for a regulation

Annex I – Part VII – point 55 – paragraph 3 – point 1

Regulation (EEC) No 3924/91

Article 2 – paragraph 6

Text proposed by the Commission

“6. The Commission is empowered to adopt delegated acts in accordance with Article 9a updating the Prodcum list and the information actually collected for each heading.”

Amendment

“6. The Commission is empowered to adopt delegated acts in accordance with Article 9a ***to supplement this Regulation by*** updating the Prodcum list and the information actually collected for each heading.”

Amendment 88

Proposal for a regulation

Annex I – Part VII – point 55 – paragraph 3 – point 2

Regulation (EEC) No 3924/91

Article 3 – paragraph 5

Text proposed by the Commission

“5. The Commission is empowered to adopt delegated acts in accordance with Article 9a **concerning** detailed rules for applying paragraph 3 of this Article, including for the adjustment to technical progress.”

Amendment

“5. The Commission is empowered to adopt delegated acts in accordance with Article 9a **to supplement this Regulation by adopting** detailed rules for applying paragraph 3 of this Article, including for the adjustment to technical progress.”

Amendment 89

Proposal for a regulation

Annex I – Part VII – point 55 – paragraph 3 – point 3

Regulation (EEC) No 3924/91

Article 4 – paragraph 2

Text proposed by the Commission

However, for certain headings in the Prodcom list, the Commission is empowered to adopt delegated acts in accordance with Article 9a providing that monthly or quarterly surveys are to be conducted.

Amendment

However, for certain headings in the Prodcom list, the Commission is empowered to adopt delegated acts in accordance with Article 9a **to supplement this Regulation by** providing that monthly or quarterly surveys are to be conducted.

Amendment 90

Proposal for a regulation

Annex I – Part VII – point 55 – paragraph 3 – point 4

Regulation (EEC) No 3924/91

Article 5 – paragraph 1

Text proposed by the Commission

“1. The required information shall be collected by the Member States using survey questionnaires the content of which shall comply with the arrangements defined by the Commission. The Commission is empowered to adopt

Amendment

“1. The required information shall be collected by the Member States using survey questionnaires the content of which shall comply with the arrangements defined by the Commission. The Commission is empowered to adopt

delegated acts in accordance with Article 9a **concerning** those arrangements.”

delegated acts in accordance with Article 9a **to supplement this Regulation by defining** those arrangements.”

Amendment 91

Proposal for a regulation

Annex I – Part VII – point 55 – paragraph 3 – point 5

Regulation (EEC) No 3924/91

Article 6 – paragraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 9a **concerning the** detailed rules in accordance with which Member States shall process the completed questionnaires referred to in Article 5(1) or the information from other sources referred to in Article 5(3).;

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 9a **to supplement this Regulation by defining** detailed rules in accordance with which Member States shall process the completed questionnaires referred to in Article 5(1) or the information from other sources referred to in Article 5(3).

Amendment 92

Proposal for a regulation

Annex I – Part VII – point 55 – paragraph 3 – point 6

Regulation (EEC) No 3924/91

Article 9a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 2(6), Article 3(5), Article 4, Article 5(1) and Article 6 shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 2(6), Article 3(5), Article 4, Article 5(1) and Article 6 shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 93

Proposal for a regulation

Annex I – Part VII – point 56 – paragraph 2 – point 1

Regulation (EEC) No 696/93

Article 6 – paragraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 6a amending *in particular* the statistical units of the production system, the criteria used and the definitions specified in the Annex in order to adapt them to economic and technical developments.;

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 6a amending the statistical units of the production system, the criteria used and the definitions specified in the Annex in order to adapt them to economic and technical developments.

Amendment 94

Proposal for a regulation

Annex I – Part VII – point 56 – paragraph 2 – point 2

Regulation (EEC) No 696/93

Article 6a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts

Amendment

2. The power to adopt delegated acts

referred to in Article 6 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

referred to in Article 6 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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 95

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 1 – indent 4

Text proposed by the Commission

- supplement that Regulation with the criteria for the measurement of quality;

Amendment

- supplement that Regulation with the criteria for the measurement of quality *of the variables*;

Amendment 96

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 2 – introductory part

Text proposed by the Commission

- (2) in Article 4(2), the second subparagraph is replaced by the following:

Amendment

- (2) in *point (d) of the first subparagraph of* Article 4(2), the second subparagraph is replaced by the following:

Amendment 97

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 2

Regulation (EC) No 1165/98

Article 4 – paragraph 2 – subparagraph 1 – point d – subparagraph 2

Text proposed by the Commission

The details of the schemes referred to in the first subparagraph shall be as specified in the Annexes. The Commission is empowered to adopt delegated acts in accordance with Article 18a **concerning** their approval and application.;

Amendment

The details of the schemes referred to in the first subparagraph shall be as specified in the Annexes. The Commission is empowered to adopt delegated acts in accordance with Article 18a **to supplement this Regulation by further specifying** their approval and application.

Amendment 98

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 3

Regulation (EC) No 1165/98

Article 10 – paragraph 5

Text proposed by the Commission

“5. The Commission is empowered to adopt delegated acts in accordance with Article 18a **concerning** the criteria for the measurement of quality.”

Amendment

“5. The Commission is empowered to adopt delegated acts in accordance with Article 18a **to supplement this Regulation by specifying** the criteria for the measurement of quality **of the variables.**”

Amendment 99

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 4 a (new)

Regulation (EC) No 1165/98

Article 18 – paragraph 3

Text proposed by the Commission

Amendment

(4a) in Article 18, paragraph 3 is deleted;

Amendment 100

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 5

Regulation (EC) No 1165/98

Article 18a – paragraph 2

Text proposed by the Commission

Amendment

2. The power to adopt delegated acts referred to in Article 3(3), Article 4(2), Article **10**, **Annex A** points (a), (b) 3, (c) 2, (c) 10, (d) 2, (f) 8 and 9, **Annex B** points (b) 4 and (d) 2, **Annex C** points (b) 2, (d) 2 and (g) 2 and **Annex D** points (b) 2 and (d) 2. shall be conferred on the Commission for **an indeterminate** period of **time** [from **the** entry into force of this **Omnibus**].

2. The power to adopt delegated acts referred to in Article 3(3), **the second subparagraph of point (d) of the first subparagraph of** Article 4(2), Article **10(5)**, points (a), (b) 3, (c) 2, (c) 10, (d) 2, (f) 8 and 9 **of Annex A**, points (b) 4 and (d) 2 **of Annex B**, points (b) 2, (d) 2 and (g) 2 **of Annex C** and points (b) 2 and (d) 2 **of Annex D** shall be conferred on the Commission for **a** period of **five years** from ...[date of entry into force of this **amending 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 101

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 5

Regulation (EC) No 1165/98

Article 18a – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to in Article 3(3), Article 4(2), Article **10**, **Annex A** points (a), (b) 3, (c) 2, (c) 10, (d) 2, (f) 8 and 9, **Annex B** points (b) 4 and (d) 2, **Annex C** points (b) 2, (d) 2 and (g) 2 and **Annex D** points (b) 2 and (d) 2 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment

3. The delegation of power referred to in Article 3(3), **the second subparagraph of point (d) of the first subparagraph of** Article 4(2), Article **10(5)**, points (a), (b) 3, (c) 2, (c) 10, (d) 2, (f) 8 and 9 **of Annex A**, points (b) 4 and (d) 2 **of Annex B**, points (b) 2, (d) 2 and (g) 2 **of Annex C** and points (b) 2 and (d) 2 **of Annex D** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment 102

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 5

Regulation (EC) No 1165/98

Article 18a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 3(3), Article 4(2), Article **10**, **Annex A** points (a), (b) 3, (c) 2, (c) 10, (d) 2, (f) 8 and 9, **Annex B** points (b) 4 and (d) 2, **Annex C** points (b) 2, (d) 2 and (g) 2 and **Annex D** points (b) 2 and (d) 2 shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the

Amendment

6. A delegated act adopted pursuant to Article 3(3), **the second subparagraph of point (d) of the first subparagraph of** Article 4(2), Article **10(5)**, points (a), (b) 3, (c) 2, (c) 10, (d) 2, (f) 8 and 9 **of Annex A**, points (b) 4 and (d) 2 **of Annex B**, points (b) 2, (d) 2 and (g) 2 **of Annex C** and points (b) 2 and (d) 2 **of Annex D** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the

Council have both informed the Commission that they will not object. That period shall be extended by *two* months at the initiative of the European Parliament or of the Council.

Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by *three* months at the initiative of the European Parliament or of the Council.

Amendment 103

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 6 – point ii

Regulation (EC) No 1165/98

Annex A – point b – point 3

Text proposed by the Commission

“3. The Commission is empowered to adopt delegated acts in accordance with Article 18a *concerning the use of* other observation units.”

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 18a *to supplement this Regulation by providing for the possibility to use* other observation units.”

Amendment 104

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 6 – point iii

Regulation (EC) No 1165/98

Annex A – point c – point 2

Text proposed by the Commission

“2. The information on output prices for non-domestic markets (No 312) and import prices (No 340) may be compiled using unit values for products originating from foreign trade or other sources only if there is no significant deterioration in quality compared to specific price information. The Commission is empowered to adopt

Amendment

“2. The information on output prices for non-domestic markets (No 312) and import prices (No 340) may be compiled using unit values for products originating from foreign trade or other sources only if there is no significant deterioration in quality compared to specific price information. The Commission is empowered to adopt

delegated acts in accordance with Article 18a **concerning** the conditions for assuring the necessary data quality.”

delegated acts in accordance with Article 18a **to supplement this Regulation by determining** the conditions for assuring the necessary data quality.”

Amendment 105

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 6 – point vi

Regulation (EC) No 1165/98

Annex A – point d – point 2

Text proposed by the Commission

“2. In addition, the production variable (No 110) and the hours-worked variable (No 220) are to be transmitted in working-day adjusted form. Wherever other variables show working-day effects, Member States may also transmit those variables in working-day adjusted form. The Commission is empowered to adopt delegated acts in accordance with Article 18a **concerning the amendment of** the list of variables to be transmitted in working-day adjusted form.”

Amendment

“2. In addition, the production variable (No 110) and the hours-worked variable (No 220) are to be transmitted in working-day adjusted form. Wherever other variables show working-day effects, Member States may also transmit those variables in working-day adjusted form. The Commission is empowered to adopt delegated acts in accordance with Article 18a **amending** the list of variables to be transmitted in working-day adjusted form.”

Amendment 106

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 6 – point vii

Regulation (EC) No 1165/98

Annex A – point f – point 8

Text proposed by the Commission

“8. For the import price variable (No 340), the Commission is empowered to adopt delegated acts in accordance with Article 18a **concerning the determination of** the terms for applying a European

Amendment

“8. For the import price variable (No 340), the Commission is empowered to adopt delegated acts in accordance with Article 18a **to supplement that Regulation by determining** the terms for applying a

sample scheme as defined in point (d) of the first subparagraph of Article 4(2).”

European sample scheme as defined in point (d) of the first subparagraph of Article 4(2).”

Amendment 107

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 6 – point viii

Regulation (EC) No 1165/98

Annex A – point f – point 9

Text proposed by the Commission

“9. The variables on the non-domestic markets (Nos 122 and 312) are to be transmitted according to the distinction into ***euro-zone and non-euro-zone***. The distinction is to be applied to the total industry defined as NACE Rev. 2 Sections B to E, the MIGs, the Section (1 letter) and Division 2-digit level of NACE Rev. 2. The information on NACE Rev. 2 D and E is not required for variable 122. In addition, the import price variable (No 340) is to be transmitted according to the distinction into ***euro-zone and non-euro-zone***. The distinction is to be applied to the total industry defined as CPA Sections B to E, the MIGs, the Section (1 letter) and Division 2-digit level of CPA. For the distinction into the ***euro-zone and non-euro-zone***, the Commission is empowered to adopt delegated acts in accordance with Article 18a ***concerning the determination of*** the terms for applying European sample schemes as defined in point (d) of the first subparagraph of Article 4(2). The European sample scheme may limit the scope of the import price variable to the import of products from ***non-euro-zone*** countries. The distinction into the ***euro-zone*** and ***non-euro-zone*** for the variables 122, 312 and 340 does not need to be transmitted by those Member States that

Amendment

“9. The variables on the non-domestic markets (Nos 122 and 312) are to be transmitted according to the distinction into ***euro-area and non-euro-area***. The distinction is to be applied to the total industry defined as NACE Rev. 2 Sections B to E, the MIGs, the Section (1 letter) and Division 2-digit level of NACE Rev. 2. The information on NACE Rev. 2 D and E is not required for variable 122. In addition, the import price variable (No 340) is to be transmitted according to the distinction into ***euro-area and non-euro-area***. The distinction is to be applied to the total industry defined as CPA Sections B to E, the MIGs, the Section (1 letter) and Division 2-digit level of CPA. For the distinction into the ***euro-area and non-euro-area***, the Commission is empowered to adopt delegated acts in accordance with Article 18a ***to supplement this Regulation by determining*** the terms for applying European sample schemes as defined in point (d) of the first subparagraph of Article 4(2). The European sample scheme may limit the scope of the import price variable to the import of products from ***non-euro-area*** countries. The distinction into the ***euro-area*** and ***non-euro-area*** for the variables 122, 312 and 340 does not need to be transmitted by those Member

have not adopted the euro as their currency.”

States that have not adopted the euro as their currency.”

Amendment 108

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 7 – point i

Regulation (EC) No 1165/98

Annex B – point b – point 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts in accordance with Article 18a **concerning the use of** other observation units.”

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 18a **to supplement this Regulation by providing for the possibility to use** other observation units.”

Amendment 109

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 7 – point iv

Regulation (EC) No 1165/98

Annex B – point d – point 2 – subparagraph 2

Text proposed by the Commission

Wherever other variables show working-day effects, Member States may also transmit those variables in working-day adjusted form. The Commission is empowered to adopt delegated acts in accordance with Article 18a **concerning the amendment of** the list of variables to be transmitted in working-day adjusted form.

Amendment

Wherever other variables show working-day effects, Member States may also transmit those variables in working-day adjusted form. The Commission is empowered to adopt delegated acts in accordance with Article 18a **amending** the list of variables to be transmitted in working-day adjusted form.

Amendment 110

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 8 – point i

Regulation (EC) No 1165/98

Annex C – point b – point 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 18a **concerning the use of** other observation units.”

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 18a **to supplement this Regulation by providing for the possibility to use** other observation units.”

(The reference in the header relating to the annex (“Annex I – Part VII – point 57 – paragraph 4 – point 8 – point i”) corresponds to “Annex I – Part VII – point 57 – paragraph 4 – point 9 – point i” of the Commission’s proposal. This discrepancy is caused by the incorrect numbering (Annex I, Part VII, point 57, paragraph 4, point 8 is missing) in the Commission’s proposal.)

Amendment 111

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 8 – point iii

Regulation (EC) No 1165/98

Annex C – point c – point 4

Text proposed by the Commission

(iii) in point (c) 4., the **last paragraph** is deleted;

Amendment

(iii) in point (c)4, the **third subparagraph** is deleted;

(The reference in the header relating to the annex (“Annex I – Part VII – point 57 – paragraph 4 – point 8 – point iii”) corresponds to “Annex I – Part VII – point 57 – paragraph 4 – point 9 – point iii” of the Commission’s proposal. This discrepancy is caused by the incorrect numbering (Annex I, Part VII, point 57, paragraph 4, point 8 is missing) in the Commission’s proposal.)

Amendment 112

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 8 – point iv

Regulation (EC) No 1165/98

Annex C – point d – point 2

Text proposed by the Commission

“2. The turnover variable (No 120) and the volume of sales variable (No 123) are also to be transmitted in a working-day adjusted form. Wherever other variables show working-day effects, Member States may also transmit those variables in working-day adjusted form. The Commission is empowered to adopt delegated acts in accordance with Article 18a **concerning the amendment of** the list of variables to be transmitted in working-day adjusted form.”

Amendment

“2. The turnover variable (No 120) and the volume of sales variable (No 123) are also to be transmitted in a working-day adjusted form. Wherever other variables show working-day effects, Member States may also transmit those variables in working-day adjusted form. The Commission is empowered to adopt delegated acts in accordance with Article 18a **amending** the list of variables to be transmitted in working-day adjusted form.”

(The reference in the header relating to the annex (“Annex I – Part VII – point 57 – paragraph 4 – point 8 – point iv”) corresponds to “Annex I – Part VII – point 57 – paragraph 4 – point 9 – point iv” of the Commission’s proposal. This discrepancy is caused by the incorrect numbering (Annex I, Part VII, point 57, paragraph 4, point 8 is missing) in the Commission’s proposal.)

Amendment 113

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 8 – point v

Regulation (EC) No 1165/98

Annex C – point g – point 2

Text proposed by the Commission

“2. The variables shall be transmitted for turnover (No 120) and the deflator of sales/volume of sales (No 330/123) within one month for the level of detail specified in paragraph 3 under heading (f) of this Annex. Member States may choose to participate for the turnover and deflator of

Amendment

“2. The variables shall be transmitted for turnover (No 120) and the deflator of sales/volume of sales (No 330/123) within one month for the level of detail specified in paragraph 3 under heading (f) of this Annex. Member States may choose to participate for the turnover and deflator of

sales/ volume of sales variables No 120 and 330/123 with contributions according to the allocation of a European sample scheme as defined in point (d) of the first subparagraph of Article 4(2). The Commission is empowered to adopt delegated acts in accordance with Article 18a **concerning** the terms of the allocation of a European sample scheme.”

sales/ volume of sales variables No 120 and 330/123 with contributions according to the allocation of a European sample scheme as defined in point (d) of the first subparagraph of Article 4(2). The Commission is empowered to adopt delegated acts in accordance with Article 18a **to supplement this Regulation by determining** the terms of the allocation of a European sample scheme.”

(The reference in the header relating to the annex (“Annex I – Part VII – point 57 – paragraph 4 – point 8 – point v”) corresponds to “Annex I – Part VII – point 57 – paragraph 4 – point 9 – point v” of the Commission’s proposal. This discrepancy is caused by the incorrect numbering (Annex I, Part VII, point 57, paragraph 4, point 8 is missing) in the Commission’s proposal.)

Amendment 114

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 9 – point i

Regulation (EC) No 1165/98

Annex D – point b – point 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 18a **concerning the use of** other observation units.”

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 18a **to supplement this Regulation by providing for the possibility to use** other observation units.”

(The reference in the header relating to the annex (“Annex I – Part VII – point 57 – paragraph 4 – point 9 – point i”) corresponds to “Annex I – Part VII – point 57 – paragraph 4 – point 10 – point i” of the Commission’s proposal. This discrepancy is caused by the incorrect numbering (Annex I, Part VII, point 57, paragraph 4, point 8 is missing) in the Commission’s proposal.)

Amendment 115

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 9 – point iv

Text proposed by the Commission

“2. The turnover variable (No 120) is also to be transmitted in working-day adjusted form. Wherever other variables show working-day effects, Member States may also transmit those variables in working-day adjusted form. The Commission is empowered to adopt delegated acts in accordance with Article 18a **concerning the amendment of** the list of variables to be transmitted in working-day adjusted form **may be amended by the Commission.**”

Amendment

“2. The turnover variable (No 120) is also to be transmitted in working-day adjusted form. Wherever other variables show working-day effects, Member States may also transmit those variables in working-day adjusted form. The Commission is empowered to adopt delegated acts in accordance with Article 18a **amending** the list of variables to be transmitted in working-day adjusted form”;

(The reference in the header relating to the annex (“Annex I – Part VII – point 57 – paragraph 4 – point 9 – point iv”) corresponds to “Annex I – Part VII – point 57 – paragraph 4 – point 10 – point iv” of the Commission’s proposal. This discrepancy is caused by the incorrect numbering (Annex I, Part VII, point 57, paragraph 4, point 8 is missing) in the Commission’s proposal.)

Amendment 116

Proposal for a regulation

Annex I – Part VII – point 58 – paragraph 1

Text proposed by the Commission

In order to adapt Regulation (EC) No 530/1999 with a view to taking account of economic and technical changes, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to supplement that Regulation with the definition and breakdown of the information to be provided and the quality evaluation **criteria**. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those

Amendment

In order to adapt Regulation (EC) No 530/1999 with a view to taking account of economic and technical changes, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to supplement that Regulation with the definition and breakdown of the information to be provided and the **criteria for** quality evaluation **of the statistics**. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert

consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016*. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment 117

Proposal for a regulation

Annex I – Part VII – point 58 – paragraph 3 – point 1

Regulation (EC) No 530/1999

Article 6 – paragraph 3

Text proposed by the Commission

“3. The Commission is empowered to adopt delegated acts in accordance with Article 10a **concerning** the definition and breakdown of the information to be provided under paragraphs 1 and 2 of this Article. These delegated acts shall be adopted for each reference period at least nine months before the beginning of the reference period.”

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 10a **to supplement this Regulation by specifying** the definition and breakdown of the information to be provided under paragraphs 1 and 2 of this Article. These delegated acts shall be adopted for each reference period at least nine months before the beginning of the reference period.”

Amendment 118

Proposal for a regulation

Annex I – Part VII – point 58 – paragraph 3 – point 3

Article 10 – paragraph 3

Text proposed by the Commission

“3. The Commission is empowered to adopt delegated acts in accordance with Article 10a **concerning the** quality evaluation **criteria**. Those delegated acts shall be adopted for each reference period at least nine months before the beginning of the reference period.”

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 10a **to supplement this Regulation by specifying the criteria for** quality evaluation **of the statistics**. Those delegated acts shall be adopted for each reference period at least nine months before the beginning of the reference period.”

Amendment 119

Proposal for a regulation

Annex I – Part VII – point 58 – paragraph 3 – point 4

Regulation (EC) No 530/1999

Article 10a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6(3) and Article 10(3) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 6(3) and Article 10(3) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 120

Proposal for a regulation

Annex I – Part VII – point 58 – paragraph 3 – point 4

Regulation (EC) No 530/1999

Article 10a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 6(3) and Article 10(3) shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 6(3) and Article 10(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Amendment 121

Proposal for a regulation

Annex I – Part VII – point 59 – paragraph 4

Text proposed by the Commission

In order to ensure uniform conditions for the implementation of Regulation (EC) No 2150/2002 concerning the production of results, the appropriate format for the transmission of results and the **contents** of the quality reports implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No

Amendment

In order to ensure uniform conditions for the implementation of Regulation (EC) No 2150/2002 concerning the production of results, the appropriate format for the transmission of results and the **structure and detailed arrangements** of the quality reports implementing powers should be conferred on the Commission. Those powers should be exercised in accordance

Amendment 122**Proposal for a regulation****Annex I – Part VII – point 59 – paragraph 5 – point 1**

Regulation (EC) No 2150/2002

Article 1 – paragraph 5

Text proposed by the Commission

“5. The Commission is empowered to adopt delegated acts in accordance with Article 5b **concerning the establishment of** a table of equivalence between the statistical nomenclature of Annex III to this Regulation and the list of waste established by Commission Decision 2000/532/EC.*

* Commission Decision of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste (OJ L 226, 6.9.2000, p. 3).”

Amendment

“5. The Commission is empowered to adopt delegated acts in accordance with Article 5b **to supplement this Regulation by establishing** a table of equivalence between the statistical nomenclature of Annex III to this Regulation and the list of waste established by Commission Decision 2000/532/EC.*

* Commission Decision of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste (OJ L 226, 6.9.2000, p. 3).”

Amendment 123**Proposal for a regulation****Annex I – Part VII – point 59 – paragraph 5 – point 2 – point a**

Regulation (EC) No 2150/2002

Article 3 – paragraph 1 – subparagraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 5b **concerning** the definition the quality and accuracy conditions.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 5b **to supplement this Regulation by defining** the quality and accuracy conditions.”

Amendment 124

Proposal for a regulation

Annex I – Part VII – point 59 – paragraph 5 – point 4

Regulation (EC) No 2150/2002

Article 5a – paragraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 5b **concerning the adjustment** to economic and technical developments in the collection and statistical processing of data, as well as the processing and the transmission of results and **the adaptation of** the specifications listed in the Annexes.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 5b **to amend this Regulation by adjusting it** to economic and technical developments in the collection and statistical processing of data, as well as the processing and the transmission of results and **by adapting** the specifications listed in the Annexes.

Amendment 125

Proposal for a regulation

Annex I – Part VII – point 59 – paragraph 5 – point 4

Regulation (EC) No 2150/2002

Article 5b – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 1(5), Article 3(1) and (4) and Article 5a, shall be conferred on the Commission for **an indeterminate** period of **time** from [[date of entry into force of

Amendment

2. The power to adopt delegated acts referred to in Article 1(5), Article 3(1) and (4), and Article 5a, shall be conferred on the Commission for **a period of five years** from ... [date of entry into force of this

this *Omnibus*].

amending 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 126

Proposal for a regulation

Annex I – Part VII – point 59 – paragraph 5 – point 5

Regulation (EC) No 2150/2002

Article 6 – paragraph 1 – point c

Text proposed by the Commission

(c) the *contents* of the quality reports as referred to in Section 7 of Annex I and Section 7 of Annex II.

Amendment

(c) the *structure and detailed arrangements* of the quality reports as referred to in Section 7 of Annex I and Section 7 of Annex II.

Amendment 127

Proposal for a regulation

Annex I – Part VII – point 60 – paragraph 3 – point 2

Regulation (EC) No 437/2003

Article 5 – paragraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article

10a *concerning the establishment of* other standards of accuracy.

10a *to supplement this Regulation by establishing* other standards of accuracy.

Amendment 128

Proposal for a regulation

Annex I – Part VII – point 60 – paragraph 3 – point 5

Regulation (EC) No 437/2003

Article 10a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3(1) and Article 5 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 3(1) and Article 5 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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 129

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 1 – indent 3 a (new)

Text proposed by the Commission

Amendment

- *supplement that Regulation by adopting measures regarding the provision of the data pursuant to the*

Amendment 130

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 3

Text proposed by the Commission

In order to ensure uniform conditions for the implementation of Regulation (EC) No 450/2003 concerning the **content of** the quality report, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Amendment

In order to ensure uniform conditions for the implementation of Regulation (EC) No 450/2003 concerning the **structure and detailed arrangements for** the quality report, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Amendment 131

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 4 – point 1

Regulation (EC) No 450/2003

Article 2 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts in accordance with Article 11a concerning amendments to redefine the technical specification of the index and revise the weighting structure.”

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 11a **amending the Annex** to redefine the technical specification of the index and revise the weighting structure.”

Amendment 132

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 4 – point 2

Article 3 – paragraph 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 11a **concerning the amendments for** the inclusion of economic activities defined by NACE Rev.2 sections O to S in the scope of this Regulation, taking into account the feasibility studies **defined** in Article 10.”

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 11a **amending this Regulation as regards** the inclusion of economic activities defined by NACE Rev.2 sections O to S in the scope of this Regulation, taking into account the feasibility studies **provided for** in Article 10.”

Amendment 133

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 4 – point 3

Regulation (EC) No 450/2003

Article 4 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Taking account of contributions to total employment and to labour costs at Union and national levels, the Commission is empowered to adopt delegated acts in accordance with Article 11a **concerning the identification of the** economic activities defined by NACE Rev. 2 sections and by further disaggregations, not beyond the level of NACE Rev. 2 divisions (2-digit level) or groupings of divisions in which the data shall be broken down taking account of economic and social developments.

Amendment

Taking account of contributions to total employment and to labour costs at Union and national levels, the Commission is empowered to adopt delegated acts in accordance with Article 11a **to supplement this Regulation as regards the breakdown by** economic activities defined by NACE Rev. 2 sections and by further disaggregations, not beyond the level of NACE Rev. 2 divisions (2-digit level) or groupings of divisions in which the data shall be broken down taking account of economic and social developments.

Amendment 134

Proposal for a regulation
Annex I – Part VII – point 61 – paragraph 4 – point 3

Regulation (EC) No 450/2003

Article 4 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 11a **concerning the determination of** these economic activities, taking into account the feasibility studies **defined** in Article 10.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 11a **to supplement this Regulation by determining** these economic activities, taking into account the feasibility studies **provided for** in Article 10.

Amendment 135

Proposal for a regulation
Annex I – Part VII – point 61 – paragraph 4 – point 3

Regulation (EC) No 450/2003

Article 4 – paragraph 3

Text proposed by the Commission

“3. The Commission is empowered to adopt delegated acts in accordance with Article 11a **concerning the establishment of** the methodology for chaining the index.”

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 11a **to supplement this Regulation by establishing** the methodology for chaining the index.”

Amendment 136

Proposal for a regulation
Annex I – Part VII – point 61 – paragraph 4 – point 4

Regulation (EC) No 450/2003

Article 8 – paragraph 1

Text proposed by the Commission

“1. The Commission is empowered to adopt delegated acts in accordance with Article 11a **concerning the definition of** separate quality criteria. The current data and back data transmitted shall satisfy these quality criteria.”

Amendment

“1. The Commission is empowered to adopt delegated acts in accordance with Article 11a **to supplement this Regulation by defining** separate quality criteria. The current data and back data transmitted shall satisfy these quality criteria.”

Amendment 137

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 4 – point 4

Regulation (EC) No 450/2003

Article 8 – paragraph 2

Text proposed by the Commission

“2. The Member States shall provide annual quality reports to the Commission, beginning in 2003. The **content** of the reports shall be defined by the Commission by means of implementing **act**. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 12(2).”

Amendment

“2. The Member States shall provide annual quality reports to the Commission, beginning in 2003. The **structure and detailed arrangements for** the reports shall be defined by the Commission by means of implementing **acts**. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 12(2).”

Amendment 138

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 4 – point 4 a (new)

Regulation (EC) No 450/2003

Article 9

Text proposed by the Commission

Amendment

(4a) Article 9 is deleted.

Amendment 139

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 4 – point 5 – point a

Regulation (EC) No 450/2003

Article 10 – paragraph 5

Text proposed by the Commission

Amendment

“5. The Commission *shall* adopt *measures pursuant to the results of the feasibility studies by means of implementing act. Those implementing acts shall be adopted in accordance with the procedure* referred to in Article 12(2). Those *measures* shall respect the principle of cost-effectiveness, as defined in Article 2 of Regulation (EC) No 223/2009, including the minimisation of the burden on respondents.”

“5. The Commission *is empowered to* adopt *delegated acts in accordance with Article 11a to supplement this Regulation concerning the provision of the data referred to in paragraph 2 of this Article pursuant to the results of the feasibility studies* referred to in *this* Article. Those *delegated acts* shall respect the principle of cost-effectiveness, as defined in Article 2 of Regulation (EC) No 223/2009, including the minimisation of the burden on respondents.”

Amendment 140

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 4 – point 7

Regulation (EC) No 450/2003

Article 11a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 2(4), Article 3(2) **and** Article 4 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 2(4), Article 3(2), Article 4(1), (2) **and** (3), ***Article 8(1) and Article 10(5)*** shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 141

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 4 – point 7

Regulation (EC) No 450/2003

Article 11a – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to in Article 2(4), Article 3(2) **and** Article 4 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment

3. The delegation of power referred to in Article 2(4), Article 3(2), Article 4(1), (2) **and** (3), ***Article 8(1) and Article 10(5)*** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment 142

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 4 – point 7

Regulation (EC) No 450/2003

Article 11a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 2(4), Article 3(2) **and** Article 4 shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 2(4), Article 3(2), Article 4(**1**), (**2**) **and (3)**, **Article 8(1) and Article 10(5)** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Amendment 143

Proposal for a regulation

Annex I – Part VI – point 62 – paragraph 3 – point 2

Regulation (EC) No 808/2004

Article 8a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 8(1) shall be conferred on the Commission for **an**

Amendment

2. The power to adopt delegated acts referred to in Article 8(1) shall be conferred on the Commission for **a** period

indeterminate period of *time* from [date of entry into force of this *Omnibus*].

of *five years* from ... [date of entry into force of this *amending 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 144

Proposal for a regulation

Annex I – Part VII – point 63 – paragraph 1 – indent 2

Text proposed by the Commission

- amend that Regulation to *adapt* the proportion of the Union total;

Amendment

- amend that Regulation to *adjust* the proportion of the Union total;

Amendment 145

Proposal for a regulation

Annex I – Part VII – point 63 – paragraph 3 – point 1 – point a

Regulation (EC) No 1161/2005

Article 2 – paragraph 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 7a *concerning* the timetable for the transmission of items P.1, P.2, D.42, D.43, D.44, D.45, and B.4G, and *any decision to require* a breakdown of the transactions listed in the Annex by counterPart sector. Any such *decision* shall only be adopted

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 7a *to supplement this Regulation by specifying* the timetable for the transmission of items P.1, P.2, D.42, D.43, D.44, D.45, and B.4G, and *by requiring* a breakdown of the transactions listed in the Annex by counterpart sector. Any such

after the Commission has reported to the European Parliament and the Council on the implementation of this Regulation pursuant to Article 9.”

delegated act shall only be adopted after the Commission has reported to the European Parliament and the Council on the implementation of this Regulation pursuant to Article 9.”

Amendment 146

Proposal for a regulation

Annex I – Part VII – point 63 – paragraph 3 – point 1 – point b a (new)

Regulation (EC) No 1161/2005

Article 2 – paragraph 5

Text proposed by the Commission

Amendment

(ba) paragraph 5 is deleted;

Amendment 147

Proposal for a regulation

Annex I – Part VII – point 63 – paragraph 3 – point 2

Regulation (EC) No 1161/2005

Article 3 – paragraph 3

Text proposed by the Commission

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 7a amending paragraph 1 of this Article *as regards* the proportion of the Union total.”

“3. The Commission is empowered to adopt delegated acts in accordance with Article 7a amending paragraph 1 of this Article *to adjust* the proportion *(1%)* of the Union total.”

Amendment 148

Proposal for a regulation

Annex I – Part VII – point 63 – paragraph 3 – point 3

Article 6 – paragraph 1 – subparagraph 1

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 7a **concerning the adoption of** common quality standards.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 7a **to supplement this Regulation by establishing** common quality standards.”

Amendment 149

Proposal for a regulation

Annex I – Part VII – point 63 – paragraph 3 – point 4

Regulation (EC) No 1161/2005

Article 7a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 2(2) and (4), Article 3(3) and Article 6(1) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 2(2) and (4), Article 3(3) and Article 6(1) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 150

Proposal for a regulation

Annex I – Part VII – point 63 – paragraph 3 – point 4

Regulation (EC) No 1161/2005

Article 7a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 2(2) and (4), Article 3(3) and Article 6(1) shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 2(2) and (4), Article 3(3) and Article 6(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Amendment 151

Proposal for a regulation

Annex I – Part VII – point 64 – paragraph 4 – point 1

Regulation (EC) No 1552/2005

Article 5 – paragraph 2 – subparagraph 2

Text proposed by the Commission

In addition, the Commission is empowered to adopt delegated acts in accordance with Article 13a **concerning** the extension of that definition, if such extension would substantially enhance the representativeness and the quality of the result of the survey in the Member States concerned.;

Amendment

In addition, the Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation by adopting** the extension of that definition, if such extension would substantially enhance the representativeness and the quality of the result of the survey in the Member States concerned.

Amendment 152

Proposal for a regulation

Annex I – Part VII – point 64 – paragraph 4 – point 2

Regulation (EC) No 1552/2005

Article 7 – paragraph 3

Text proposed by the Commission

“3. The Commission is empowered to adopt delegated acts in accordance with Article 13a determining the sampling and precision requirements, the sample sizes needed to meet those requirements, and the detailed specifications of the NACE Rev. 2 and size categories into which the results can be broken down.”

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation by** determining the sampling and precision requirements, the sample sizes needed to meet those requirements, and the detailed specifications of the NACE Rev. 2 and size categories into which the results can be broken down.”

Amendment 153

Proposal for a regulation

Annex I – Part VII – point 64 – paragraph 4 – point 3

Regulation (EC) No 1552/2005

Article 8 – paragraph 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 13a **concerning** the specific data to be collected with respect to training and non-training enterprises and to the different forms of vocational training.”

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation by establishing** the specific data to be collected with respect to training and non-training enterprises and to the different forms of vocational training.”

Amendment 154

Proposal for a regulation

Annex I – Part VII – point 64 – paragraph 4 – point 4 – point a

Article 9 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts in accordance with Article 13a **concerning** the quality requirements for the data to be collected and transmitted for European statistics on vocational training in enterprises, and any measures necessary for assessing or improving the quality of the data.”

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation by establishing** the quality requirements for the data to be collected and transmitted for European statistics on vocational training in enterprises, and **by adopting** any measures necessary for assessing or improving the quality of the data.”

Amendment 155

Proposal for a regulation

Annex I – Part VII – point 64 – paragraph 4 – point 4 – point b

Regulation (EC) No 1552/2005

Article 9 – paragraph 5

Text proposed by the Commission

“5. **The Commission shall determine the structure of** the quality reports referred to in paragraph 2 by means of implementing **act**. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 14(2).”

Amendment

“5. **When drawing up** the quality reports referred to in paragraph 2, **Member States shall comply with the quality requirements and any other measure established pursuant to paragraph 4. In order to assess the quality of the data transmitted, they shall use the format determined by the** Commission by means of implementing **acts**. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 14(2).”

Amendment 156

Proposal for a regulation

Annex I – Part VII – point 64 – paragraph 4 – point 5

Regulation (EC) No 1552/2005

Article 10 – paragraph 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 13a **concerning the determination of** the first reference year for which the data are to be collected.”

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation by determining** the first reference year for which the data are to be collected.”

Amendment 157

Proposal for a regulation

Annex I – Part VII – point 64 – paragraph 4 – point 7

Regulation (EC) No 1552/2005

Article 13a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 5(2), Article 7(3), Article 8(2), Article 9(4), Article 10(2) and Article 13 shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 5(2), Article 7(3), Article 8(2), Article 9(4), Article 10(2) and Article 13 shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 158

Proposal for a regulation
Annex I – Part VII – point 66 – paragraph 2 – point 2

Regulation (EC) No 458/2007

Article 7 – paragraph 3 – subparagraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 7a establishing the first year for which full data shall be collected, and adopting measures relating to the detailed classification of data covered and the definitions to be used.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 7a **to supplement this Regulation by** establishing the first year for which full data shall be collected, and **by** adopting measures relating to the detailed classification of data covered and the definitions to be used.

Amendment 159

Proposal for a regulation
Annex I – Part VII – point 66 – paragraph 2 – point 3

Regulation (EC) No 458/2007

Article 7a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 7(3) and Annex I, point 1.1.2.4. shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 7(3) and Annex I, point 1.1.2.4. shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 160

Proposal for a regulation

Annex I – Part VII – point 67 – paragraph 1

Text proposed by the Commission

In order to adapt Regulation (EC) No 716/2007 to economic and technical developments the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the definitions in Annexes I and II and the level of detail in Annex III and to supplement that Regulation with measures concerning inward and outward statistics on foreign affiliates.

Amendment

In order to adapt Regulation (EC) No 716/2007 to economic and technical developments the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the definitions in Annexes I and II and the level of detail in Annex III and to supplement that Regulation with measures concerning inward and outward statistics on foreign affiliates ***and common quality standards.***

Amendment 161

Proposal for a regulation

Annex I – Part VII – point 67 – paragraph 4 – point 2

Regulation (EC) No 716/2007

Article 5 – paragraph 4 – subparagraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 9a ***concerning*** the necessary measures for inward and outward statistics on foreign affiliates, on the basis of the conclusions of the pilot studies.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 9a ***to supplement this Regulation by determining*** the necessary measures for inward and outward statistics on foreign affiliates, on the basis of the conclusions of the pilot studies.

Amendment 162

Proposal for a regulation

Annex I – Part VII – point 67 – paragraph 4 – point 3

Article 6 – paragraph 3

Text proposed by the Commission

“3. The Commission is empowered to adopt delegated acts in accordance with Article 9a **concerning** common quality standards.”

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 9a **to supplement this Regulation by establishing the** common quality standards **referred to in paragraph 1.**”

Amendment 163

Proposal for a regulation

Annex I – Part VII – point 67 – paragraph 4 – point 4 – point a – point ii

Regulation (EC) No 716/2007

Article 9 – paragraph 1 – point c

Text proposed by the Commission

“(c) defining the **contents** and periodicity of the quality reports.”

Amendment

“(c) defining the **structure, detailed arrangements** and periodicity of the quality reports **referred to in Article 6(2).**”

Amendment 164

Proposal for a regulation

Annex I – Part VII – point 67 – paragraph 4 – point 5

Regulation (EC) No 716/2007

Article 9a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts

Amendment

2. The power to adopt delegated acts

referred to in Article 2, Article 5(4) and Article 6(3) shall be conferred on the Commission for *an indeterminate* period of *time* [from *the* entry into force of this *Omnibus*].

referred to in *the second paragraph of* Article 2, Article 5(4) and Article 6(3) shall be conferred on the Commission for a period of *five years from ...* [date of entry into force of this *amending 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 165

Proposal for a regulation

Annex I – Part VII – point 67 – paragraph 4 – point 5

Regulation (EC) No 716/2007

Article 9a – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to in Article 2, Article 5(4) and Article 6(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment

3. The delegation of power referred to in *the second paragraph of* Article 2, Article 5(4) and Article 6(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment 166

Proposal for a regulation

Annex I – Part VII – point 67 – paragraph 4 – point 5

Regulation (EC) No 716/2007

Article 9a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 2, Article 5(4) and Article 6(3) shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to **the second paragraph of** Article 2, Article 5(4) and Article 6(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Amendment 167

Proposal for a regulation

Annex I – Part VII – point 68 – paragraph 2 – point 1

Regulation (EC) No 862/2007

Article 9a – subparagraph 2 – introductory part

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 10a:

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 10a **to supplement this Regulation by:**

Amendment 168

Proposal for a regulation

Annex I – Part VII – point 68 – paragraph 2 – point 3

Article 10a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 9a shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 9a shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 169

Proposal for a regulation

Annex I – Part VII – point 69 – paragraph 3 – point 1

Regulation (EC) No 1445/2007

Article 3 – paragraph 1a

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 10a amending the definitions and amending the list of basic headings in Annex II to take account of economic and technical changes, insofar as this does not involve a disproportionate increase in costs for the Member States.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 10a amending the definitions ***set out in the first paragraph*** and amending the list of basic headings in Annex II to take account of economic and technical changes, insofar as this does not involve a disproportionate increase in costs for the Member States.”

Amendment 170

Proposal for a regulation

Annex I – Part VII – point 69 – paragraph 3 – point 2 – point a

Regulation (EC) No 1445/2007

Article 7 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts in accordance with Article 10a **concerning** common criteria on which the quality control is based.”

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 10a **to supplement this Regulation by establishing** common criteria on which the quality control **referred to in paragraph 1** is based.”

Amendment 171

Proposal for a regulation

Annex I – Part VII – point 69 – paragraph 3 – point 2 – point b

Regulation (EC) No 1445/2007

Article 7 – paragraph 5

Text proposed by the Commission

“5. The Commission shall **adopt** the structure **of** the quality reports, as specified in point 5.3 of Annex I, by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 11(2).”

Amendment

“5. The Commission shall **set out** the structure **and detailed arrangements for** the quality reports, as **referred to in paragraph 3 and** specified in point 5.3 of Annex I, by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 11(2).”

Amendment 172

Proposal for a regulation

Annex I – Part VII – point 69 – paragraph 3 – point 3

Regulation (EC) No 1445/2007

Article 10a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3 and Article 7(4) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in ***the second paragraph of*** Article 3 and Article 7(4) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 173

Proposal for a regulation

Annex I – Part VII – point 69 – paragraph 3 – point 3

Regulation (EC) No 1445/2007

Article 10a – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to in Article 3 and Article 7(4) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official*

Amendment

3. The delegation of power referred to in ***the second paragraph of*** Article 3 and Article 7(4) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in

Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment 174

Proposal for a regulation

Annex I – Part VII – point 69 – paragraph 3 – point 3

Regulation (EC) No 1445/2007

Article 10a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 3 and Article 7(4) shall enter into force only if no objection has been expressed either by the European Parliament or *by* the Council within a period of *two* months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by *two* months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to *the second paragraph of* Article 3 and Article 7(4) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of *three* months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by *three* months at the initiative of the European Parliament or of the Council.

Amendment 175

Proposal for a regulation

Annex I – Part VII – point 70 – paragraph 1

Text proposed by the Commission

In order to adapt Regulation (EC) No 177/2008 to economic and technical developments, the power to adopt acts in accordance with Article 290 of the Treaty

Amendment

In order to adapt Regulation (EC) No 177/2008 to economic and technical developments, the power to adopt acts in accordance with Article 290 of the Treaty

should be delegated to the Commission to amend the list of register characteristics, their definition and their continuity rules in the Annex to that Regulation and to supplement that Regulation with common quality *standards* and rules for updating registers and by determining the extent to which certain enterprises and enterprise groups are to be included in the registers, specifying units consistent with those for agricultural statistics. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016*. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

should be delegated to the Commission to amend the list of register characteristics, their definition and their continuity rules in the Annex to that Regulation and to supplement that Regulation with common *standards for the quality of business registers* and rules for updating registers and by determining the extent to which certain enterprises and enterprise groups are to be included in the registers, specifying units consistent with those for agricultural statistics. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment 176

Proposal for a regulation

Annex I – Part VII – point 70 – paragraph 3 – point 1

Regulation (EC) No 177/2008

Article 3 – paragraph 6

Text proposed by the Commission

“6. The Commission is empowered to adopt delegated acts in accordance with Article 15a determining the extent to which enterprises with less than half a person employed and all resident enterprise groups of no statistical importance to the Member States are to be included in the registers,

Amendment

“6. The Commission is empowered to adopt delegated acts in accordance with Article 15a *to supplement this Regulation by* determining the extent to which enterprises with less than half a person employed and all resident enterprise groups of no statistical importance to the Member

and the definition of units consistent with those for agricultural statistics.”

States are to be included in the registers, and the definition of units consistent with those for agricultural statistics.”

Amendment 177

Proposal for a regulation

Annex I – Part VII – point 70 – paragraph 3 – point 3

Regulation (EC) No 177/2008

Article 6 – paragraph 3 – subparagraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 15a **concerning** common **quality** standards.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 15a **to supplement this Regulation by establishing** common standards **for the quality of business registers as referred to in paragraph 1**.

Amendment 178

Proposal for a regulation

Annex I – Part VII – point 70 – paragraph 3 – point 3

Regulation (EC) No 177/2008

Article 6 – paragraph 3 – subparagraph 2

Text proposed by the Commission

The Commission shall adopt decisions concerning the **content** and periodicity of the quality reports by means of implementing **act**. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 16(2).

Amendment

The Commission shall adopt decisions concerning the **structure, detailed arrangements** and periodicity of the quality reports **referred to in paragraph 2** by means of implementing **acts**. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 16(2).

Amendment 179

Proposal for a regulation

Annex I – Part VII – point 70 – paragraph 3 – point 4

Regulation (EC) No 177/2008

Article 8 – paragraph 3

Text proposed by the Commission

“3. The Commission is empowered to adopt delegated acts in accordance with Article 15a *concerning* the rules for updating registers.”

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 15a *to supplement this Regulation by establishing* the rules for updating registers.”

Amendment 180

Proposal for a regulation

Annex I – Part VII – point 70 – paragraph 3 – point 6

Regulation (EC) No 177/2008

Article 15a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3(6), Article 5(2), Article 6(3) and Article 8(3) shall be conferred on the Commission for *an indeterminate* period of *time [from the entry into force of the Omnibus]*.

Amendment

2. The power to adopt delegated acts referred to in Article 3(6), Article 5(2), Article 6(3) and Article 8(3) shall be conferred on the Commission for *a* period of *five years from ... [date of entry into force of this amending 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 181

Proposal for a regulation

Annex I – Part VII – point 70 – paragraph 3 – point 6

Regulation (EC) No 177/2008

Article 15a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 3(6), Article 5(2), Article 6(3) and Article 8(3) shall enter into force only if no objection has been expressed either by the European Parliament or *by* the Council within a period of *two* months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by *two* months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 3(6), Article 5(2), Article 6(3) and Article 8(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of *three* months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by *three* months at the initiative of the European Parliament or of the Council.

Amendment 182

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 1

Regulation (EC) No 295/2008

Article 3 – paragraph 4 – subparagraph 1

Text proposed by the Commission

“The use of the flexible module referred to in point (j) of paragraph 2 shall be planned in close cooperation with Member States. The Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning** its scope, list of characteristics, reference period, activities to be covered and quality requirements. The delegated act shall be adopted at least 12 months before the beginning of the reference period. The Commission shall also specify the need for the information and the impact of the data collection in respect of the burden on businesses and the costs to the Member States.”

Amendment

“The use of the flexible module referred to in point (j) of paragraph 2 shall be planned in close cooperation with Member States. The Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation by establishing the scope of the flexible module, its** list of characteristics, reference period, activities to be covered and quality requirements. The delegated act shall be adopted at least 12 months before the beginning of the reference period. The Commission shall also specify the need for the information and the impact of the data collection in respect of the burden on businesses and the costs to the Member States.”

Amendment 183

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 2

Regulation (EC) No 295/2008

Article 4 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning** the measures necessary on the basis of the evaluation of the pilot studies.”

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation by defining** the measures necessary on the basis of the evaluation of the pilot studies.”

Amendment 184

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 3

Article 7 – paragraph 2

Text proposed by the Commission

“2. ***In order that*** Union aggregates ***may be compiled***, Member States shall produce component national results according to the levels of NACE Rev. 2 laid down in the Annexes to this Regulation or in delegated acts. The Commission is empowered to adopt such delegated acts in accordance with Article 11b.”

Amendment

“2. ***For the purposes of compiling*** Union aggregates, Member States shall produce component national results according to the levels of NACE Rev. 2 laid down in the Annexes to this Regulation or in delegated acts. The Commission is empowered to adopt such delegated acts in accordance with Article 11b ***supplementing this Regulation by determining the relevant levels of NACE Rev. 2.***”

Amendment 185

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 4 – point a

Regulation (EC) No 295/2008

Article 8 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The results shall be transmitted in an appropriate technical format, within a period of time starting from the end of the reference period. The Commission is empowered to adopt delegated acts in accordance with Article 11b ***concerning*** the reference period for the modules provided for in Article 3(2)(a) to (h) and (j) ***and this*** period shall be no longer than 18 months. For the module provided for in Article 3(2)(i), the period of time shall be no longer than 30 months or 18 months as laid down in Annex IX, Section 9. In addition, a small number of estimated

Amendment

The results shall be transmitted in an appropriate technical format, within a period of time starting from the end of the reference period. The Commission is empowered to adopt delegated acts in accordance with Article 11b ***to supplement this Regulation by specifying*** the reference period for the modules provided for in Article 3(2)(a) to (h) and (j), ***which*** period shall be no longer than 18 months. For the module provided for in Article 3(2)(i), the period of time shall be no longer than 30 months or 18 months as laid down in Annex IX, Section 9. In addition, a small

preliminary results shall be transmitted within a period of time starting from the end of the reference period **which shall be laid down** in accordance with **that procedure** for the modules provided for in Article 3(2)(a) to (g) **and** shall be no longer than 10 months.

number of estimated preliminary results shall be transmitted within a period of time starting from the end of the reference period. **The Commission is empowered to adopt delegated acts** in accordance with **Article 11b to supplement this Regulation by specifying that period** for the modules provided for in Article 3(2)(a) to (g), **which period** shall be no longer than 10 months.

Amendment 186

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 4 – point b

Regulation (EC) No 295/2008

Article 8 – paragraph 3 –subparagraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning the review of** the rules for the CETO flag and grouping the Member States, by 29 April 2013 and every five years thereafter.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation by reviewing** the rules for the CETO flag and grouping the Member States, by 29 April 2013 and every five years thereafter.”

Amendment 187

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 6

Regulation (EC) No 295/2008

Article 11a – introductory part

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation as**

11b *concerning*:

regards the following:

Amendment 188

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 6

Regulation (EC) No 295/2008

Article 11b – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3(4), Article 4(4), Article 7(2), Article 8(2) and (3), Article 11a, **Annex I**, Sections 5, 6, 8(1) and (2), Section 6, of Annexes II, III and IV, **Annex VI**, Section 7, **Annex VIII**, Sections 3, 4(2) and (3), **Annex IX** Sections 8(2) and (3) and 10(2), shall be conferred on the Commission for ***an indeterminate*** period of ***time*** [***from the*** entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 3(4), Article 4(4), Article 7(2), Article 8(2) and (3), Article 11a, Sections 5, 6, 8(1) and (2) ***of Annex I***, Section 6 of Annexes II, III and IV, Section 7 ***of Annex VI***, Sections 3, 4(2) and (3) ***of Annex VIII***, Sections 8(2) and (3) and 10(2) ***of Annex IX*** shall be conferred on the Commission for ***a*** period of ***five years from ...*** [***date of*** entry into force of this ***amending 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 189

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 6

Regulation (EC) No 295/2008

Article 11b – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 3(4), Article 4(4), Article 7(2), Article 8(2) and (3), Article 11a, **Annex I**, Sections 5, 6, 8(1) and (2), Section 6, of Annexes II, III and IV, **Annex VI**, Section 7, **Annex VIII**, Sections 3, 4(2) and (3), **Annex IX** Sections 8(2) and (3) and 10(2), shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.”

Amendment

6. A delegated act adopted pursuant to Article 3(4), Article 4(4), Article 7(2), Article 8(2) and (3), Article 11a, Sections 5, 6, 8(1) and (2) **of Annex I**, Section 6 of Annexes II, III and IV, Section 7 **of Annex VI**, Sections 3, 4(2) and (3) **of Annex VIII**, Sections 8(2) and (3) and 10(2) **of Annex IX**, shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Amendment 190

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 8 – point a

Regulation (EC) No 295/2008

Annex I – section 5 – paragraph 1

Text proposed by the Commission

The first reference year for which statistics are compiled is the calendar year 2008. Data will be compiled according to the breakdown in Section 9. However, the Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning** the first reference year for which statistics on the activity classes covered by the NACE Rev. 2 groups 64.2, 64.3 and 64.9 and division 66 are to be

Amendment

The first reference year for which statistics are compiled is the calendar year 2008. Data will be compiled according to the breakdown in Section 9. However, the Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation by establishing** the first reference year for which statistics on the activity classes covered by the NACE Rev. 2 groups 64.2, 64.3 and 64.9 and division 66 are to be

compiled.

compiled.

Amendment 191

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 8 – point a

Regulation (EC) No 295/2008

Annex I – section 6 – paragraph 1

Text proposed by the Commission

For each of the key characteristics Member States will indicate the degree of precision by reference to a confidence level of 95 %, which the Commission will include in the report provided for in Article 13, taking account of the application in each Member States of that Article. The Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning** the key characteristics.

Amendment

For each of the key characteristics Member States will indicate the degree of precision by reference to a confidence level of 95 %, which the Commission will include in the report provided for in Article 13, taking account of the application in each Member States of that Article. The Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation by establishing** the key characteristics.

Amendment 192

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 8 – point b – point i

Regulation (EC) No 295/2008

Annex I – section 8 – paragraph 1

Text proposed by the Commission

“1. The results are to be transmitted within 18 months of the end of the calendar year of the reference period, except for the NACE Rev. 2 activity classes 64.11 and 64.19. For the NACE Rev. 2 activity classes 64.11 and 64.19 the transmission delay is 10 months. The Commission is empowered to adopt delegated acts in

Amendment

“1. The results are to be transmitted within 18 months of the end of the calendar year of the reference period, except for the NACE Rev. 2 activity classes 64.11 and 64.19. For the NACE Rev. 2 activity classes 64.11 and 64.19 the transmission delay is 10 months. The Commission is empowered to adopt delegated acts in

accordance with Article 11b *concerning* the transmission delay of the results on the activity classes covered by the NACE Rev. 2 groups 64.2, 64.3 and 64.9 and division 66.”

accordance with Article 11b *to supplement this Regulation by establishing* the transmission delay of the results on the activity classes covered by the NACE Rev. 2 groups 64.2, 64.3 and 64.9 and division 66.”

Amendment 193

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 8 – point b – point ii

Regulation (EC) No 295/2008

Annex I – section 8 – paragraph 2 – subparagraph 2

Text proposed by the Commission

“These preliminary results or estimates are to be broken down to NACE Rev. 2, 3-digit level (group). The Commission is empowered to adopt delegated acts in accordance with Article 11b *concerning the division 66 of NACE Rev. 2*, the transmission of preliminary results or estimates.”

Amendment

“These preliminary results or estimates are to be broken down to NACE Rev. 2, 3-digit level (group). The Commission is empowered to adopt delegated acts in accordance with Article 11b *to supplement this Regulation by establishing* the transmission of preliminary results or estimates *for division 66 of NACE Rev. 2*.”

Amendment 194

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 9

Regulation (EC) No 295/2008

Annex II – section 6 – paragraph 1

Text proposed by the Commission

For each key characteristic Member States will indicate the degree of precision by reference to a confidence level of 95 %

Amendment

For each key characteristic Member States will indicate the degree of precision by reference to a confidence level of 95 %

which the Commission will include in the report provided for in Article 13, taking account of the application in each Member State of that Article. The Commission is empowered to adopt delegated acts in accordance with Article 11b *concerning the* key characteristics.

which the Commission will include in the report provided for in Article 13, taking account of the application in each Member State of that Article. The Commission is empowered to adopt delegated acts in accordance with Article 11b *to supplement this Regulation by establishing such* key characteristics.

Amendment 195

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 10

Regulation (EC) No 295/2008

Annex III – section 6 – paragraph 1

Text proposed by the Commission

For each key characteristic Member States will indicate the degree of precision by reference to a confidence level of 95 % which the Commission will include in the report provided for in Article 13, taking account of the application in each Member State of that Article. The Commission is empowered to adopt delegated acts in accordance with Article 11b *concerning the* key characteristics.

Amendment

For each key characteristic Member States will indicate the degree of precision by reference to a confidence level of 95 % which the Commission will include in the report provided for in Article 13, taking account of the application in each Member State of that Article. The Commission is empowered to adopt delegated acts in accordance with Article 11b *to supplement this Regulation by establishing such* key characteristics.

Amendment 196

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 11

Regulation (EC) No 295/2008

Annex IV – section 6 – paragraph 1

Text proposed by the Commission

For each key characteristic Member States will indicate the degree of precision by reference to a confidence level of 95 % which the Commission will include in the report provided for in Article 13, taking account of the application in each Member State of that Article. The Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning the** key characteristics.

Amendment

For each key characteristic Member States will indicate the degree of precision by reference to a confidence level of 95 % which the Commission will include in the report provided for in Article 13, taking account of the application in each Member State of that Article. The Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation by establishing such** key characteristics.

Amendment 197

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 12

Regulation (EC) No 295/2008

Annex VI – section 7 – paragraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning** the transmission delay of the results that will not be longer than 10 months starting from the end of the reference year.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation by establishing** the transmission delay of the results that will not be longer than 10 months starting from the end of the reference year.

Amendment 198

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 13 – point a

Regulation (EC) No 295/2008

Annex VIII – section 3 – paragraph 1 – sentence 5

Text proposed by the Commission

“On the basis of this study, the Commission is empowered to adopt delegated acts in accordance with Article 11b *concerning the changing of* the lower limit.”

Amendment

“On the basis of this study, the Commission is empowered to adopt delegated acts in accordance with Article 11b *to amend this Regulation by changing* the lower limit *of the reference population.*”

Amendment 199

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 13 – point b

Regulation (EC) No 295/2008

Annex VIII – section 4 – paragraphs 2 and 3 – table

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 11b *concerning the determination of* product breakdown.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 11b *to supplement this Regulation by establishing the* product breakdown.”

(This amendment concerns the table ‘Breakdown of turnover by product type’, the sentence in the column ‘Comment’.)

Amendment 200

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 14 – point a

Regulation (EC) No 295/2008

Annex IX – section 8 – paragraph 2

Text proposed by the Commission

2. The Commission is empowered to adopt delegated acts in accordance with Article 11b ***concerning some results that*** shall also be broken down into size classes to the level of detail listed in Section 10, except for NACE Rev. 2 Sections L, M and N, where the breakdown is required only to the group level.

Amendment

2. The Commission is empowered to adopt delegated acts in accordance with Article 11b ***to supplement this Regulation by establishing that some results*** shall also be broken down into size classes to the level of detail listed in Section 10, except for NACE Rev. 2 Sections L, M and N, where the breakdown is required only to the group level.

Amendment 201

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 14 – point a

Regulation (EC) No 295/2008

Annex IX – section 8 – paragraph 3

Text proposed by the Commission

3. The Commission is empowered to adopt delegated acts in accordance with Article 11b ***concerning some results that*** shall also be broken down according to legal form to the level of the detail listed in Section 10, except for NACE Rev. 2 Sections L, M and N, where the breakdown is required only to the group level.;

Amendment

3. The Commission is empowered to adopt delegated acts in accordance with Article 11b ***to supplement this Regulation by establishing that some results*** shall also be broken down according to legal form to the level of the detail listed in Section 10, except for NACE Rev. 2 Sections L, M and N, where the breakdown is required only to the group level.;

Amendment 202

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 14 – point b

Regulation (EC) No 295/2008

Annex IX – section 10 – paragraph 2 – subsection "Special aggregates"

Text proposed by the Commission

To enable Union statistics on business demography to be compiled for the Information and Communication Technology sector, the Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning** a number of special aggregates of the NACE Rev. 2 to be transmitted..

Amendment

To enable Union statistics on business demography to be compiled for the Information and Communication Technology sector, the Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation by establishing** a number of special aggregates of the NACE Rev. 2 to be transmitted..

Amendment 203

Proposal for a regulation

Annex I – Part VII – point 73 – paragraph 3 – point 1

Regulation (EC) No 452/2008

Article 6 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission is empowered to adopt delegated acts in accordance with Article 6a **concerning**:

Amendment

1. The Commission is empowered to adopt delegated acts in accordance with Article 6a **to supplement this Regulation as regards the following**:

Amendment 204

Proposal for a regulation

Annex I – Part VII – point 73 – paragraph 3 – point 2

Regulation (EC) No 452/2008

Article 6a – paragraph 2

Text proposed by the Commission

Amendment

2. The power to adopt delegated acts referred to in Article 6(1) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

2. The power to adopt delegated acts referred to in Article 6(1) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 205

Proposal for a regulation

Annex I – Part VII – point 74 – paragraph 3 – point 1 – point b

Regulation (EC) No 453/2008

Article 2 – paragraph 1a

Text proposed by the Commission

“For the purposes of point 1 of the first paragraph, the Commission is empowered to adopt delegated acts in accordance with Article 8a defining the concepts ‘active steps to find a suitable candidate’ and ‘specific period of time.’”

Amendment

“For the purposes of point 1 of the first paragraph, the Commission is empowered to adopt delegated acts in accordance with Article 8a ***to supplement this Regulation by*** defining the concepts ‘active steps to find a suitable candidate’ and ‘specific period of time.’”

Amendment 206

Proposal for a regulation

Annex I – Part VII – point 74 – paragraph 3 – point 2

Regulation (EC) No 453/2008

Article 3 – paragraph 1

Text proposed by the Commission

“1. Member States shall compile the quarterly data with reference to specific reference dates. The Commission is empowered to adopt delegated acts in accordance with Article 8a determining those specific reference dates.”

Amendment

“1. Member States shall compile the quarterly data with reference to specific reference dates. The Commission is empowered to adopt delegated acts in accordance with Article 8a **to supplement this Regulation by** determining those specific reference dates.”

Amendment 207

Proposal for a regulation

Annex I – Part VII – point 74 – paragraph 3 – point 3

Regulation (EC) No 453/2008

Article 5 – paragraph 1

Text proposed by the Commission

“1. The Commission is empowered to adopt delegated acts in accordance with Article 8a determining the date of the first reference quarter as well as the transmission deadlines. Any revision of quarterly data for previous quarters shall be transmitted at the same time.

Member States shall transmit the data and metadata to the Commission (Eurostat) according to a format determined by the Commission by means of implementing **act**. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 9(3).”

Amendment

“1. The Commission is empowered to adopt delegated acts in accordance with Article 8a **to supplement this Regulation by** determining the date of the first reference quarter as well as the transmission deadlines **applicable to Member States**. Any revision of quarterly data for previous quarters shall be transmitted at the same time.

Member States shall transmit the data and metadata to the Commission (Eurostat), **and specify their source**, according to a **technical** format determined by the Commission by means of implementing **acts**. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 9(3).”

Amendment 208

Proposal for a regulation
Annex I – Part VII – point 74 – paragraph 3 – point 4
Regulation (EC) No 453/2008

Article 7 – paragraph 1 – subparagraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 8a **concerning** the appropriate framework for the establishment of a series of feasibility studies.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 8a **to supplement this Regulation by establishing** the appropriate framework for the establishment of a series of feasibility studies.

Amendment 209

Proposal for a regulation
Annex I – Part VII – point 74 – paragraph 3 – point 5

Regulation (EC) No 453/2008

Article 8a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 2, Article 3(1), Article 5(1) and Article 7(1) and (3) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 2, Article 3(1), Article 5(1) and Article 7(1) and (3) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 210

Proposal for a regulation

Annex I – Part VII – point 75 – paragraph 2 – point 1 – point a

Regulation (EC) No 763/2008

Article 5 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 7a **concerning the establishment of** the subsequent reference years. Reference years shall fall during the beginning of every decade;

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 7a **to supplement this Regulation by establishing** the subsequent reference years. Reference years shall fall during the beginning of every decade;

Amendment 211

Proposal for a regulation

Annex I – Part VII – point 75 – paragraph 2 – point 1 – point b

Regulation (EC) No 763/2008

Article 5 – paragraph 3

Text proposed by the Commission

3. The Commission is empowered to adopt delegated acts in accordance with Article 7a **concerning** establishing a programme of the statistical data and of the metadata to be transmitted to fulfil the requirements of this Regulation.

Amendment

3. The Commission is empowered to adopt delegated acts in accordance with Article 7a **to supplement this Regulation by** establishing a programme of the statistical data and of the metadata to be transmitted to fulfil the requirements of this Regulation.

Amendment 212

Proposal for a regulation

Annex I – Part VII – point 75 – paragraph 2 – point 3

Regulation (EC) No 763/2008

Article 7a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 5(1) and (3) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 5(1) and (3) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 213

Proposal for a regulation

Annex I – Part VII – point 76 – paragraph 3 – point 2

Regulation (EC) No 1099/2008

Article 4 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 10a **further clarifying** the terminology by adding relevant NACE references after a revision of the NACE classification has entered into force.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 10a **to amend this Regulation in order to clarify** the terminology by adding relevant NACE references after a revision of the NACE classification has entered into force.

Amendment 214

Proposal for a regulation

Annex I – Part VII – point 76 – paragraph 3 – point 4

Regulation (EC) No 1099/2008

Article 8 – paragraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 10a **regarding** the set of annual nuclear statistics.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 10a **to supplement this Regulation by establishing** the set of annual nuclear statistics.”

Amendment 215

Proposal for a regulation

Annex I – Part VII – point 76 – paragraph 3 – point 5 – point a

Regulation (EC) No 1099/2008

Article 9 – paragraph 2

Text proposed by the Commission

2. The Commission is empowered to adopt delegated acts in accordance with Article 10a **regarding** the set of renewable energy statistics and the set of final energy consumption statistics.

Amendment

2. The Commission is empowered to adopt delegated acts in accordance with Article 10a **to supplement this Regulation by establishing** the set of renewable energy statistics and the set of final energy consumption statistics.

Amendment 216

Proposal for a regulation

Annex I – Part VII – point 76 – paragraph 3 – point 7

Regulation (EC) No 1099/2008

Article 10a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3(3), Article 4(2) and (3), Article 5(3), Article 8, and Article 9(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 3(3), Article 4(2) and (3), Article 5(3), Article 8, and Article 9(2) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 217

Proposal for a regulation

Annex I – Part VII – point 77 – paragraph 2 – point 2

Regulation (EC) No 1338/2008

Article 7 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The data shall be provided in accordance with the time limits set out, at the intervals provided for, and in respect of the reference periods which are indicated in the Annexes or in delegated acts. The Commission is empowered to adopt such delegated acts in accordance with Article 9a.

Amendment

The data shall be provided in accordance with the time limits set out, at the intervals provided for, and in respect of the reference periods which are indicated in the Annexes or in delegated acts. The Commission is empowered to adopt such delegated acts in accordance with Article 9a ***by supplementing this Regulation.***

Amendment 218

Proposal for a regulation

Annex I – Part VII – point 77 – paragraph 2 – point 3

Article 9 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission is empowered to adopt delegated acts in accordance with Article 9a **concerning**:

Amendment

1. The Commission is empowered to adopt delegated acts in accordance with Article 9a **to supplement this Regulation by laying down the following**:

Amendment 219

Proposal for a regulation

Annex I – Part VII – point 77 – paragraph 2 – point 4

Article 9a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6(2), Article 7(2) and Article 9(1) and in points (c), (d) and (e) of Annexes I, II, III, IV and V shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 6(2), Article 7(2) and Article 9(1) and in points (c), (d) and (e) of Annexes I, II, III, IV and V shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 220

Proposal for a regulation

Annex I – Part VII – point 77 – paragraph 2 – point 6 – point a

Regulation (EC) No 1338/2008

Annex I – point c – paragraph 1

Text proposed by the Commission

Statistics shall be provided every five years from the EHIS; a different frequency may be needed for other data collections, such as those on morbidity or accidents and injuries, as well as for some specific survey modules. The Commission is empowered to adopt delegated acts in accordance with Article 9a concerning the measures relating to the first reference year, the interval and the time limit for provision of the data.

Amendment

Statistics shall be provided every five years from the EHIS; a different frequency may be needed for other data collections, such as those on morbidity or accidents and injuries, as well as for some specific survey modules. The Commission is empowered to adopt delegated acts in accordance with Article 9a **to supplement this Regulation by establishing rules** concerning the measures relating to the first reference year, the interval and the time limit for provision of the data.

Amendment 221

Proposal for a regulation

Annex I – Part VII – point 77 – paragraph 2 – point 6 – point b

Regulation (EC) No 1338/2008

Annex I – point d – paragraph 2

Text proposed by the Commission

Not all subjects are necessarily to be covered at the time of each data provision. The Commission is empowered to adopt delegated acts in accordance with Article 9a concerning the measures relating to the characteristics, namely variables, definitions and classifications of the subjects listed above, and the breakdown of characteristics.

Amendment

Not all subjects are necessarily to be covered at the time of each data provision. The Commission is empowered to adopt delegated acts in accordance with Article 9a **to supplement this Regulation by establishing rules** concerning the measures relating to the characteristics, namely variables, definitions and classifications of the subjects listed above, and the breakdown of characteristics.

Amendment 222

Proposal for a regulation

Annex I – Part VII – point 77 – paragraph 2 – point 6 – point c

Regulation (EC) No 1338/2008

Annex I – point e – paragraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 9a concerning the measures relating to the provision of metadata, including metadata concerning characteristics of surveys and other sources used, population covered and information about any national specificity essential for the interpretation and compilation of comparable statistics and indicators.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 9a ***to supplement this Regulation by establishing rules*** concerning the measures relating to the provision of metadata, including metadata concerning characteristics of surveys and other sources used, population covered and information about any national specificity essential for the interpretation and compilation of comparable statistics and indicators.

Amendment 223

Proposal for a regulation

Annex I – Part VII – point 77 – paragraph 2 – point 7 – point a

Regulation (EC) No 1338/2008

Annex II – point c – paragraph 1

Text proposed by the Commission

Statistics shall be provided annually. The Commission is empowered to adopt delegated acts in accordance with Article 9a concerning the measures relating to the first reference year, the interval and the time limit for provision of the data.

Amendment

Statistics shall be provided annually. The Commission is empowered to adopt delegated acts in accordance with Article 9a ***to supplement this Regulation by establishing rules*** concerning the measures relating to the first reference year, the interval and the time limit for provision of the data.

Amendment 224

Proposal for a regulation

Annex I – Part VII – point 77 – paragraph 2 – point 7 – point b

Regulation (EC) No 1338/2008

Annex II – point d – paragraph 4

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 9a concerning the measures relating to the characteristics, namely variables, definitions and classifications of the subjects listed above, and the breakdown of characteristics.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 9a **to supplement this Regulation by establishing rules** concerning the measures relating to the characteristics, namely variables, definitions and classifications of the subjects listed above, and the breakdown of characteristics.

Amendment 225

Proposal for a regulation

Annex I – Part VII – point 77 – paragraph 2 – point 7 – point c

Regulation (EC) No 1338/2008

Annex II – point e – paragraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 9a concerning the measures relating to the provision of metadata, including metadata concerning characteristics of sources and compilations used, population covered and information about any national specificity essential for the interpretation and compilation of comparable statistics and indicators.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 9a **to supplement this Regulation by establishing rules** concerning the measures relating to the provision of metadata, including metadata concerning characteristics of sources and compilations used, population covered and information about any national specificity essential for the interpretation and compilation of comparable statistics and indicators.

Amendment 226

Proposal for a regulation

Annex I – Part VII – point 77 – paragraph 2 – point 8 – point a
Regulation (EC) No 1338/2008

Annex III – point c – paragraph 1

Text proposed by the Commission

Statistics shall be provided annually. The Commission is empowered to adopt delegated acts in accordance with Article 9a concerning the measures relating to the first reference year. The data shall be submitted no later than 24 months after the end of the reference year. Provisional or estimated data can be provided earlier. In the case of public-health incidents, additional special data collections may be established, either for all deaths or for specific causes of death.

Amendment

Statistics shall be provided annually. The Commission is empowered to adopt delegated acts in accordance with Article 9a **to supplement this Regulation by establishing rules** concerning the measures relating to the first reference year. The data shall be submitted no later than 24 months after the end of the reference year. Provisional or estimated data can be provided earlier. In the case of public-health incidents, additional special data collections may be established, either for all deaths or for specific causes of death.

Amendment 227

Proposal for a regulation

Annex I – Part VII – point 77 – paragraph 2 – point 8 – point b

Regulation (EC) No 1338/2008

Annex III – point d – paragraph 4

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 9a concerning the measures relating to the characteristics, namely variables, definitions and classifications of the subjects listed above, and the breakdown of characteristics.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 9a **to supplement this Regulation by establishing rules** concerning the measures relating to the characteristics, namely variables, definitions and classifications of the subjects listed above, and the breakdown of characteristics.

Amendment 228

Proposal for a regulation

Annex I – Part VII – point 77 – paragraph 2 – point 8 – point c

Regulation (EC) No 1338/2008

Annex III – point e – paragraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 9a concerning the measures relating to the provision of metadata, including metadata concerning population covered and information about any national specificity essential for the interpretation and compilation of comparable statistics and indicators.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 9a **to supplement this Regulation by establishing rules** concerning the measures relating to the provision of metadata, including metadata concerning population covered and information about any national specificity essential for the interpretation and compilation of comparable statistics and indicators.

Amendment 229

Proposal for a regulation

Annex I – Part VII – point 77 – paragraph 2 – point 9 – point a

Regulation (EC) No 1338/2008

Annex IV – point c – paragraph 1

Text proposed by the Commission

Statistics shall be provided annually. The Commission is empowered to adopt delegated acts in accordance with Article 9a concerning the measures relating to the first reference year. The data shall be submitted no later **than 18** months after the end of the reference year.

Amendment

Statistics shall be provided annually. The Commission is empowered to adopt delegated acts in accordance with Article 9a **to supplement this Regulation by establishing rules** concerning the measures relating to the first reference year. The data shall be submitted no later **than 18** months after the end of the reference year.

Amendment 230

Proposal for a regulation

Annex I – Part VII – point 77 – paragraph 2 – point 9 – point b

Annex IV – point d – paragraph 4

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 9a concerning the measures relating to the characteristics, namely variables, definitions and classifications of the subjects listed above, and the breakdown of characteristics.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 9a ***to supplement this Regulation by establishing rules*** concerning the measures relating to the characteristics, namely variables, definitions and classifications of the subjects listed above, and the breakdown of characteristics.

Amendment 231

Proposal for a regulation

Annex I – Part VII – point 77 – paragraph 2 – point 9 – point c

Regulation (EC) No 1338/2008

Annex IV – point e – paragraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 9a concerning the measures relating to the provision of metadata, including metadata concerning population covered, the declaration rates for accidents at work and, when relevant, sampling characteristics, as well as information about any national specificity essential for the interpretation and compilation of comparable statistics and indicators.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 9a ***to supplement this Regulation by establishing rules*** concerning the measures relating to the provision of metadata, including metadata concerning population covered, the declaration rates for accidents at work and, when relevant, sampling characteristics, as well as information about any national specificity essential for the interpretation and compilation of comparable statistics and indicators.

Amendment 232

Proposal for a regulation

Annex I – Part VII – point 77 – paragraph 2 – point 10 – point a

Regulation (EC) No 1338/2008

Annex V – point c – paragraph 1

Text proposed by the Commission

For occupational diseases, statistics shall be provided annually and submitted no later than 15 months after the end of the reference year. The Commission is empowered to adopt delegated acts in accordance with Article 9a concerning the measures relating to the reference periods, the intervals and the time limits for provision of the other data collections.

Amendment

For occupational diseases, statistics shall be provided annually and submitted no later than 15 months after the end of the reference year. The Commission is empowered to adopt delegated acts in accordance with Article 9a ***to supplement this Regulation by establishing rules*** concerning the measures relating to the reference periods, the intervals and the time limits for provision of the other data collections.

Amendment 233

Proposal for a regulation

Annex I – Part VII – point 77 – paragraph 2 – point 10 – point b

Regulation (EC) No 1338/2008

Annex V – point d – paragraph 4

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 9a ***concerning*** the measures relating to the characteristics, namely variables, definitions and classifications of the subjects listed above, and the breakdown of characteristics.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 9a ***to supplement this Regulation by establishing*** the measures relating to the characteristics, namely variables, definitions and classifications of the subjects listed above, and the breakdown of characteristics.

Amendment 234

Proposal for a regulation

Annex I – Part VII – point 77 – paragraph 2 – point 10 – point c

Regulation (EC) No 1338/2008

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 9a concerning the measures relating to the provision of metadata, including metadata concerning population covered and information about any national specificity essential for the interpretation and compilation of comparable statistics and indicators.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 9a **to supplement this Regulation by establishing rules** concerning the measures relating to the provision of metadata, including metadata concerning population covered and information about any national specificity essential for the interpretation and compilation of comparable statistics and indicators.

Amendment 235

Proposal for a regulation

Annex I – Part VII – point 78 – paragraph 2 – point 2

Regulation (EC) No 1185/2009

Article 5a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 5(1a), (2) and (3) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in 5(1a), (2) and (3) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 236

Proposal for a regulation

Annex I – Part VIII – point 79 – paragraph 2 – point 1 – point a

Regulation (EC) No 1606/2002

Article 3 – paragraph 1 – subparagraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 5a **concerning** the applicability within the Union of international accounting standards.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 5a **to supplement this Regulation by establishing** the applicability within the Union of international accounting standards (**'adopted international accounting standards'**).

Amendment 237

Proposal for a regulation

Annex I – Part VIII – point 79 – paragraph 2 – point 1 – point a

Regulation (EC) No 1606/2002

Article 3 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Where, in the case of possible imminent risks to the stability of financial markets, imperative grounds of urgency so require, the procedure provided for in Article 5b shall apply to delegated acts adopted pursuant to this paragraph.;

Amendment

deleted

Amendment 238

Proposal for a regulation

Annex I – Part VIII – point 79 – paragraph 2 – point 1 a (new)

Article 4 – paragraph 1

Present text

“For each financial year starting on or after 1 January 2005, companies governed by the law of a Member State shall prepare their consolidated accounts in conformity with the international accounting standards adopted in accordance with *the procedure laid down in Article 6(2)* if, at their balance sheet date, their securities are admitted to trading on a regulated market *of any Member State within the meaning of Article 1(13) of Council Directive 93/22/EEC of 10 May 1993 on investment services in the securities field ⁽¹⁾*.”

Amendment

(1 a) in Article 4, paragraph 1 is replaced by the following:

"For each financial year starting on or after 1 January 2005, companies governed by the law of a Member State shall prepare their consolidated accounts in conformity with the international accounting standards adopted in accordance with *Article 3(1)*, if, at their balance sheet date, their securities are admitted to trading on a regulated market *as defined in point (21) of Article 4(1) of Directive 2014/65/EU*.”

Amendment 239

Proposal for a regulation

Annex I – Part VIII – point 79 – paragraph 2 – point 1 b (new)

Regulation (EC) No 1606/2002

Article 5

Present text

"Article 5
Options in respect of annual accounts and of non publicly-traded companies
Member States may permit or require:
(a) the companies referred to in Article 4 to prepare their annual accounts,

Amendment

(1 b) Article 5 is replaced by the following:

"Article 5
Options in respect of annual accounts and of non publicly-traded companies
Member States may permit or require:
(a) the companies referred to in Article 4 to prepare their annual accounts,

(b) companies other than those referred to in Article 4 to prepare their consolidated accounts and/or their annual accounts, in conformity with the international accounting standards adopted in accordance with *the procedure laid down in Article 6(2)*.”

(b) companies other than those referred to in Article 4 to prepare their consolidated accounts and/or their annual accounts, in conformity with the international accounting standards adopted in accordance with *Article 3(1)*.”

Amendment 240

Proposal for a regulation

Annex I – Part VIII – point 79 – paragraph 2 – point 2

Regulation (EC) No 1606/2002

Article 5a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3(1) shall be conferred on the Commission for *an indeterminate* period of *time [from the entry into force of this Omnibus]*.

Amendment

2. The power to adopt delegated acts referred to in Article 3(1) shall be conferred on the Commission for *a* period of *five years from ... [date of entry into force of this amending 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 241

Proposal for a regulation

Annex I – Part VIII – point 79 – paragraph 2 – point 2

Regulation (EC) No 1606/2002

Article 5a – paragraph 6

Text proposed by the Commission

Amendment

A delegated act adopted pursuant to Article 3(1) shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

6. A delegated act adopted pursuant to Article 3(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Amendment 242

Proposal for a regulation

Annex I – Part VIII – point 79 – paragraph 2 – point 2

Regulation (EC) No 1606/2002

Article 5b

Text proposed by the Commission

Amendment

Article 5b

deleted

Urgency procedure

1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2.

2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.

2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 5a(6) In such a case, the Commission shall repeal the act

immediately following the notification of the decision to object by the European Parliament or by the Council.

Amendment 243

Proposal for a regulation

Annex I – Part VIII – point 79 – paragraph 2 – point 3

Regulation (EC) No 1606/2002

Articles 6 and 7

Text proposed by the Commission

Amendment

(3) *Articles 6 and 7 are* deleted.

(3) *Article 6 is* deleted.

Amendment 244

Proposal for a regulation

Annex I – Part VIII – point 79 – paragraph 2 – point 3 a (new)

Regulation (EC) No 1606/2002

Article 7

Present text

Amendment

“Article 7

Reporting and coordination

1. The Commission shall *liaise on a regular basis with the Committee about* the status of active IASB projects and any related documents issued by the IASB in order to coordinate positions and to facilitate discussions concerning the adoption of standards that might result from these projects and documents.

(3 a) Article 7 is replaced by the following:

“Article 7

Reporting and coordination

1. The Commission shall *inform* on a regular basis *the European Parliament and the Council* about the status of active IASB projects and any related documents issued by the IASB in order to coordinate positions and to facilitate discussions concerning the adoption of standards that might result from these projects and

2. The Commission shall duly report to the *Committee* in a timely manner if it intends not to propose the adoption of a standard.”

documents.

2. The Commission shall duly report to the *European Parliament and to the Council* in a timely manner if it intends not to propose the adoption of a standard.”

Amendment 245

Proposal for a regulation Annex I – Part VIII – point 80 – paragraph 1

Text proposed by the Commission

In order to adapt Directive 2009/110/EC to take account of inflation or technological and market developments, and to ensure a convergent application of certain exemptions set out in that Directive, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend that Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment

Directive 2009/110/EC *includes in Article 14 an empowerment for the Commission to adopt measures which are necessary to update the provisions of the Directive "in order to take account of inflation or technological and market developments" in accordance with the regulatory procedure with scrutiny. Such empowerment, if adapted to an empowerment for the adoption of delegated acts without further changes, would not satisfy the requirements of Article 290 TFEU regarding the necessary specification of objectives, content and scope of the delegation of power. Taking into account that the Commission has not used the empowerment to date, it should be deleted.*

Amendment 246

Proposal for a regulation Annex I – Part VIII – point 80 – paragraph 2 – point 1

Article 14

Text proposed by the Commission

Amendment

(1) Article 14 is **replaced by the following:**

(1) Article 14 is **deleted.**

Article 14

Delegated acts

The Commission is empowered to adopt delegated acts in accordance with Article 14a:

a) amending this Directive in order to take account of inflation or technological and market developments;

b) amending Article 1(4) and (5) to ensure the convergent application of the exemptions referred to in those provisions.;

Amendment 247

Proposal for a regulation

Annex I – Part VIII – point 80 – paragraph 2 – point 2

Article 14a

Text proposed by the Commission

Amendment

(2) **the following Article 14a is inserted:**

deleted

‘Article 14a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts

referred to in Article 14 shall be conferred on the Commission for an indeterminate period of time [from the entry into force of this Omnibus].

3. The delegation of power referred to in Article 14 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.*

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 14 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

** OJ L 123, 12.5.2016, p. 1; ’*

Proposal for a regulation
Annex I – Part IX – point 81 – paragraph 2 – point 4

Directive 75/324/EEC

Article 10a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 5 and Article 10(3) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 5 and Article 10(3) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 249

Proposal for a regulation
Annex I – Part IX – point 81 – paragraph 2 – point 4

Directive 75/324/EEC

Article 10a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 5 and Article 10(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the

Amendment

6. A delegated act adopted pursuant to Article 5 and Article 10(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that

European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by *two* months at the initiative of the European Parliament or of the Council.

period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by *three* months at the initiative of the European Parliament or of the Council.

Amendment 250

Proposal for a regulation

Annex I – part IX – point 83 – paragraph 2 – point 1

Directive 80/181/EEC

Article 6a – paragraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 6c establishing supplementary indications.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 6c *to supplement this Directive by* establishing supplementary indications.

Amendment 251

Proposal for a regulation

Annex I – Part IX – point 83 – paragraph 2 – point 2

Directive 80/181/EEC

Article 6c – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6a shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 6a shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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 252

Proposal for a regulation

Annex I – Part IX – point 83 – paragraph 2 – point 2

Directive 80/181/EEC

Article 6c – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 6a shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 6a shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Amendment 253

Proposal for a regulation

Annex I – Part IX – point 84 – paragraph 2 – point 1

Directive 97/67/EC

Article 16 – paragraph 6

Text proposed by the Commission

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 21a specifying such standardised conditions.;

The Commission is empowered to adopt delegated acts in accordance with Article 21a *to supplement this Directive by* specifying such standardised conditions.

Amendment 254

Proposal for a regulation

Annex I – Part IX – point 84 – paragraph 2 – point 3

Directive 97/67/EC

Article 20a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 16 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 16 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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 255

Proposal for a regulation

Annex I – Part IX – point 86 – paragraph 2 – point 3

Regulation (EC) No 2003/2003

Article 31a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 29(4) and Article 31(1) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 29(4) and Article 31(1) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 256

Proposal for a regulation

Annex I – Part IX – point 88 – paragraph 2 – point 2

Directive 2004/10/EC

Article 3b – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3a and Article 5(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 3a and Article 5(2) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 257

Proposal for a regulation

Annex I – Part IX – point 90 – paragraph 2 – point 1

Directive 2006/123/EC

Article 23 – paragraph 4 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 39a establishing common criteria for defining, for the purposes of the insurance or guarantees referred to in paragraph 1 of this Article, what is appropriate to the nature and extent of the risk.;

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 39a **to supplement this Directive by** establishing common criteria for defining, for the purposes of the insurance or guarantees referred to in paragraph 1 of this Article, what is appropriate to the nature and extent of the risk.

Amendment 258

Proposal for a regulation

Annex I – Part IX – point 90 – paragraph 2 – point 2

Directive 2006/123/EC

Article 36 – subparagraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 39a **in order to specify** the time-limits provided for in Articles 28 and 35.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 39a **to supplement this Directive by specifying** the time-limits provided for in Articles 28 and 35.

Amendment 259

Proposal for a regulation

Annex I – Part IX – point 90 – paragraph 2 – point 3

Directive 2006/123/EC

Article 39a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 23(4) and Article 36 shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 23(4) and Article 36 shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 260

Proposal for a regulation

Annex I – Part IX – point 90 – paragraph 2 – point 3

Directive [2006/123/EC](#)

Article 39a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 23(4) and Article 36 shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 23(4) and Article 36 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Amendment 261

Proposal for a regulation

Annex I – Part IX – point 91 – paragraph 1 – second indent

Text proposed by the Commission

- to amend the Annexes to that Regulation *in certain cases*;

Amendment

- to amend the Annexes to that Regulation;

Amendment 262

Proposal for a regulation

Annex I – Part IX – point 91 – paragraph 3 – point 1

Regulation (EC) No 1907/2006

Article 13 – paragraph 3 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 131a laying down test methods.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 131a *to supplement this Regulation by* laying down test methods.

Amendment 263

Proposal for a regulation

Annex I – Part IX – point 91 – paragraph 3 – point 2

Regulation (EC) No 1907/2006

Article 41 – paragraph 7

Text proposed by the Commission

“7. The Commission is empowered to

Amendment

“7. The Commission is empowered to

adopt delegated acts in accordance with Article 131a, after consulting with the Agency, to **vary** the percentage of dossiers selected and to amend or **include** further criteria in paragraph 5.”

adopt delegated acts in accordance with Article 131a, after consulting with the Agency, to **amend this Regulation by varying** the percentage of dossiers selected and **by updating or including** further criteria in paragraph 5.”

Amendment 264

Proposal for a regulation

Annex I – Part IX – point 91 – paragraph 3 – point 4 a (new)

Regulation (EC) No 1907/2006

Article 73 – paragraph 2

Present text

2. A final decision *shall be taken* in accordance with *the procedure referred to in Article 133(4)*. *The Commission shall send the draft amendment to the Member States at least 45 days before voting.*

Amendment

(4a) in Article 73, paragraph 2 is replaced by the following:

“2. The Commission is empowered to adopt a delegated act in accordance with Article 131a to supplement this Regulation with the final decision on amending Annex XVII.”

Amendment 265

Proposal for a regulation

Annex I – Part IX – point 91 – paragraph 3 – point 6

Regulation (EC) No 1907/2006

Article 131a

Text proposed by the Commission

“Article 131a

Exercise of the Delegation

1. The power to adopt delegated acts conferred on the Commission is subject to the conditions laid down in this Article.

Amendment

“Article 131a

Exercise of the Delegation

1. The power to adopt delegated acts *is* conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 13(2) and (3), Article 41(7), Article 58(1) and (8), Article 68(1) and (2), Article 131 and Article 138(9) shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

3. The delegation of power referred to in Article 13(2) and (3), Article 41(7), Article 58(1) and (8), Article 68(1) and (2), Article 131 and Article 138(9) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016**.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 13(2) and (3), Article 41(7), Article 58(1) and (8), Article 68(1) and (2), Article 131 and Article 138(9) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to

2. The power to adopt delegated acts referred to in Article 13(2) and (3), Article 41(7), Article 58(1) and (8), Article 68(1) and (2), **Article 73(2)**, Article 131 and Article 138(9) shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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.***

3. The delegation of power referred to in Article 13(2) and (3), Article 41(7), Article 58(1) and (8), Article 68(1) and (2), **Article 73(2)**, Article 131 and Article 138(9) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making ***.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 13(2) and (3), Article 41(7), Article 58(1) and (8), Article 68(1) and (2), **Article 73(2)**, Article 131 and Article 138(9) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to

the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p.1.”

the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p.1.”

Amendment 266

Proposal for a regulation

Annex I – Part IX – point 94 – paragraph 3 – point 2

Directive 2009/48/EC

Article 46a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 46 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 46 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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 267

Proposal for a regulation

Annex I – Part IX – point 94 – paragraph 3 – point 2

Article 46a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 46 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 46 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Amendment 268

Proposal for a regulation

Annex I – Part IX – point 97 – paragraph 2 – point 1 – point a

Directive 2009/125/EC

Article 15 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt such delegated acts in accordance with Article 18a.

Amendment

The Commission is empowered to adopt such delegated acts in accordance with Article 18a **by supplementing this Directive.**

Amendment 269

Proposal for a regulation

Annex I – Part IX – point 97 – paragraph 2 – point 1 – point c

Directive 2009/125/EC

Article 15 – paragraph 10

Text proposed by the Commission

“10. Where appropriate a delegated act laying down ecodesign requirements shall include provisions on the balancing of various environmental aspects.”

Amendment

“10. Where appropriate a delegated act laying down ecodesign requirements shall include provisions on the balancing of various environmental aspects. ***The Commission is empowered to adopt such delegated acts in accordance with Article 18a by supplementing this Directive.***”

Amendment 270

Proposal for a regulation

Annex I – Part IX – point 97 – paragraph 2 – point 2

Directive 2009/125/EC

Article 16 – paragraph 2 – subparagraph 2

Text proposed by the Commission

“The Commission is empowered to adopt those measures by delegated acts in accordance with Article 18a.”

Amendment

“The Commission is empowered to adopt those measures by delegated acts in accordance with Article 18a ***by supplementing this Directive.***”

Amendment 271

Proposal for a regulation

Annex I – Part IX – point 97 – paragraph 2 – point 3

Directive 2009/125/EC

Article 18a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 15(1) and Article 16(2) shall be conferred on the

Amendment

2. The power to adopt delegated acts referred to in Article 15(1) and Article 16(2) shall be conferred on the

Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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 272

Proposal for a regulation

Annex I – Part IX – point 98 – paragraph 2 – point 2

Regulation (EC) No 661/2009

Article 14

Text proposed by the Commission

“Article 14

Delegated powers

The Commission is empowered to adopt delegated acts in accordance with Article 14a *required* in the light of technical progress *in respect of*:

Amendment

“Article 14

Delegated powers

The Commission is empowered to adopt delegated acts in accordance with Article 14a *to amend this Regulation* in the light of technical progress *by laying down the following*:

(a) measures amending the limit values on rolling resistance and rolling noise laid down in Parts B and C of Annex II insofar as is necessary as a result of changes in test procedures and without lowering the level of protection of the environment;

(b) measures amending Annex IV to include the UNECE Regulations that are mandatory under Article 4(4) of Decision 97/836/EC.

The Commission is empowered to adopt delegated acts in accordance with Article 14a to supplement this Regulation in the

(a) detailed rules concerning the specific procedures, tests and technical requirements for the type-approval of motor vehicles, their trailers and components and separate technical units with regard to the provisions of Articles 5 to 12;

(b) detailed rules concerning specific safety requirements for vehicles intended for the transport of dangerous goods by road within or between Member States, taking account of UNECE Regulation 105;

(c) a more precise definition of the physical characteristics and performance requirements a tyre must fulfil to be defined as ‘special use tyre’, ‘off-road professional tyre’, ‘reinforced tyre’, ‘extra load tyre’, ‘snow tyre’, ‘T-type temporary-use spare tyre’ or ‘traction tyre’ in accordance with points 8 to 13 of the second paragraph of Article 3;

(d) measures amending the limit values on rolling resistance and rolling noise laid down in Parts B and C of Annex II insofar as is necessary as a result of changes in test procedures and without lowering the level of protection of the environment;

(e) detailed rules on the procedure for the determination of the noise levels referred to in point 1 of Part C of Annex II;

(f) measures amending Annex IV to include the UNECE Regulations that are mandatory under Article 4(4) of Decision 97/836/EC;

(g) administrative provisions concerning the specific procedures, tests and technical requirements for the type-approval of motor vehicles, their trailers and components and separate technical units with regard to the provisions of Articles 5 to 12;

(h) measures exempting certain vehicles or classes of vehicles of categories M2, M3, N2 and N3 from the obligation to

light of technical progress by laying down the following:

(a) detailed rules concerning the specific procedures, tests and technical requirements for the type-approval of motor vehicles, their trailers and components and separate technical units with regard to the provisions of Articles 5 to 12;

(b) detailed rules concerning specific safety requirements for vehicles intended for the transport of dangerous goods by road within or between Member States, taking account of UNECE Regulation 105;

(c) a more precise definition of the physical characteristics and performance requirements a tyre must fulfil to be defined as ‘special use tyre’, ‘off-road professional tyre’, ‘reinforced tyre’, ‘extra load tyre’, ‘snow tyre’, ‘T-type temporary-use spare tyre’ or ‘traction tyre’ in accordance with points 8 to 13 of the second paragraph of Article 3;

(e) detailed rules on the procedure for the determination of the noise levels referred to in point 1 of Part C of Annex II;

(g) administrative provisions concerning the specific procedures, tests and technical requirements for the type-approval of motor vehicles, their trailers and components and separate technical units with regard to the provisions of Articles 5 to 12;

(h) measures exempting certain vehicles or classes of vehicles of categories M2, M3, N2 and N3 from the obligation to

install advanced vehicle systems referred to in Article 10 where, following a cost/benefit analysis and taking into account all relevant safety aspects, the application of those systems proves not to be appropriate to the vehicle or class of vehicles concerned;

(i) other measures necessary for the application of this Regulation.”

install advanced vehicle systems referred to in Article 10 where, following a cost/benefit analysis and taking into account all relevant safety aspects, the application of those systems proves not to be appropriate to the vehicle or class of vehicles concerned;

(i) other measures necessary for the application of this Regulation.”

Amendment 273

Proposal for a regulation

Annex I – Part IX – point 98 – paragraph 2 – point 3

Regulation (EC) No 661/2009

Article 14a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 14 shall be conferred on the Commission for *an indeterminate* period of *time from the* date of entry into force of this Regulation.

Amendment

2. The power to adopt delegated acts referred to in Article 14 shall be conferred on the Commission for *a* period of *five years from ...* [date of entry into force of this *amending* 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.*

(The reference in the header relating to the annex (“Annex I – Part IX – point 98 – paragraph 2 – point 3”) corresponds to “Annex I – Part IX – point 98 – paragraph 2 – point 2” of the Commission’s proposal. This discrepancy is caused by the incorrect numbering (Annex I, Part IX, point 98, paragraph 2, point 2 is duplicated) in the Commission’s proposal.)

Amendment 274

Proposal for a regulation
Annex I – Part IX – point 98 – paragraph 2 – point 3
Regulation (EC) No 661/2009

Article 14a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 14 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 14 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

(The reference in the header relating to the annex (“Annex I – Part IX – point 98 – paragraph 2 – point 3”) corresponds to “Annex I – Part IX – point 98 – paragraph 2 – point 2” of the Commission’s proposal. This discrepancy is caused by the incorrect numbering (Annex I, Part IX, point 98, paragraph 2, point 2 is duplicated) in the Commission’s proposal.)

Amendment 275

Proposal for a regulation
Annex I – Part IX – point 99 – paragraph 1 – indent 8 a (new)

Text proposed by the Commission

Amendment

- ***to supplement this Regulation by authorising derogations from the prohibition on animal testing, in case a serious concern arises as regards the safety of an existing cosmetics ingredient.***

Amendment 276

Proposal for a regulation
Annex I – Part IX – point 99 – paragraph 3

Text proposed by the Commission

Amendment

In order to ensure uniform conditions for the implementation of the relevant provisions of Regulation (EC) No 1223/2009 concerning derogations in relation to animal testing, implementing powers should be conferred on the Commission to adopt decisions authorising derogations from the prohibition on animal testing. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

deleted

Amendment 277

Proposal for a regulation
Annex I – Part IX – point 99 – paragraph 4 – point 6

Regulation (EC) No 1223/2009

Article 18 – paragraph 2 – subparagraph 9

Text proposed by the Commission

Amendment

“The measures referred to in the sixth subparagraph shall be adopted by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 32(2).”

“The Commission is empowered to adopt delegated acts in accordance with Article 31a to supplement this Regulation by providing authorisation for the derogation referred to in the sixth subparagraph.”

Amendment 278

Proposal for a regulation
Annex I – Part IX – point 99 – paragraph 4 – point 7

Article 20 – paragraph 2 – subparagraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 31a establishing a list of common criteria for claims which may be used in respect of cosmetic products, after consulting the SCCS or other relevant authorities and taking into account the provisions of Directive 2005/29/EC.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 31a **to supplement this Regulation by** establishing a list of common criteria for claims which may be used in respect of cosmetic products, after consulting the SCCS or other relevant authorities and taking into account the provisions of Directive 2005/29/EC.”

Amendment 279

Proposal for a regulation

Annex I – Part IX – point 99 – paragraph 4 – point 9

Regulation (EC) No 1223/2009

Article 31a

Text proposed by the Commission

“Article 31a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 2(3), Article 13(8), Article 14(2), Article 15(1) and (2), Article 16 (8) and (9), Article 20(2) and Article 31(1), (2) and (3) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

“Article 31a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 2(3), Article 13(8), Article 14(2), Article 15(1) and (2), Article 16 (8) and (9), **Article 18(2)**, Article 20(2) and Article 31(1), (2) and (3) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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.

3. The delegation of power referred to in Article 2(3), Article 13(8), Article 14(2), Article 15(1) and (2), Article 16(8) and (9), Article 20(2) and Article 31(1), (2) and (3), may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making ***of 13 April 2016****.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 2(3), Article 13(8), Article 14(2), Article 15(1) and (2), Article 16(8) and (9), Article 20(2) and Article 31(1), (2) and (3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

3. The delegation of power referred to in Article 2(3), Article 13(8), Article 14(2), Article 15(1) and (2), Article 16(8) and (9), ***Article 18(2)***, Article 20(2) and Article 31(1), (2) and (3), may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement ***of 13 April 2016*** on Better Law-Making *.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 2(3), Article 13(8), Article 14(2), Article 15(1) and (2), Article 16(8) and (9), ***Article 18(2)***, Article 20(2) and Article 31(1), (2) and (3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Amendment 280

Proposal for a regulation

Annex I – Part XI – point 102 – paragraph 2 – point 2

Regulation (EEC) No 3922/91

Article 11a – paragraph 2

Text proposed by the Commission

2. The **power to adopt delegated acts** referred to in Article 11(1) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The **delegation of power** referred to in Article 11(1) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 281

Proposal for a regulation

Annex I – Part XI – point 104 – paragraph 1

Text proposed by the Commission

In order to adapt Directive 97/70/EC to the evolution of international law, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend that Directive in order to apply subsequent amendments to

Amendment

In order to adapt Directive 97/70/EC to the evolution of international law, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend that Directive in order to apply subsequent amendments to

the Torremolinos Protocol. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016*. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

the Torremolinos Protocol *and to supplement it by adopting provisions for a harmonised interpretation of those provisions of the Annex to the Torremolinos Protocol which have been left to the discretion of the administrations of individual contracting parties.*

In order to ensure that Union standards are protected, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission amending this Directive in order to exclude from its scope any amendment to the Torremolinos Protocol if, on the basis of an evaluation by the Commission, there is a manifest risk that such international amendment would lower the standard of maritime safety, prevention of pollution from ships or of protection of shipboard living and working conditions, established by Union maritime legislation, or that such amendment would be incompatible with the latter.

It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment 282

Proposal for a regulation

Annex I – Part XI – point 104 – paragraph 2

Text proposed by the Commission

Amendment

In order to ensure uniform conditions for the implementation of Directive 97/70/EC, implementing powers should be conferred on the Commission to adopt provisions for a harmonised interpretation of those provisions of the Annex to the Torremolinos Protocol which have been left to the discretion of the administrations of individual contracting parties, as far as necessary to ensure their consistent implementation in the Union. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

deleted

Amendment 283

Proposal for a regulation

Annex I – Part XI – point 104 – paragraph 3 – point 1

Directive 97/70/EC

Article 8 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission **may** establish a harmonised interpretation of those provisions of the Annex to the Torremolinos Protocol which have been left to the discretion of the administrations of individual contracting parties, **as far as necessary to ensure their consistent implementation in the Union, by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 9(2).**

2. The Commission **is empowered to adopt delegated acts in accordance with Article 8a supplementing this Directive in order to** establish a harmonised interpretation of those provisions of the Annex to the Torremolinos Protocol which have been left to the discretion of the administrations of individual contracting parties.

Amendment 284

Proposal for a regulation

Annex I – Part XI – point 104 – paragraph 3 – point 1

Directive 97/70/EC

Article 8 – paragraph 3

Text proposed by the Commission

3. The **amendments** to the international instrument referred to in Article 2(4) **may be excluded from the scope of this Directive, pursuant to Article 5 of Regulation (EC) No 2099/2002 of the European Parliament and of the Council***.

Amendment

3. The **Commission is empowered to adopt delegated acts in accordance with Article 8a amending this Directive in order to exclude from its scope any amendment** to the international instrument referred to in Article 2(4) **if, on the basis of an evaluation by the Commission, there is a manifest risk that such international amendment would lower the standard of maritime safety, of prevention of pollution from ships or of protection of shipboard living and working conditions, established by Union maritime legislation, or would be incompatible with the latter.**

Amendment 285

Proposal for a regulation

Annex I – Part XI – point 104 – paragraph 3 – point 2

Directive 97/70/EC

Article 8a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 8(1) shall be conferred on the Commission for **an indeterminate period of time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for **a period of five years** from ... [date of entry into force of this **amending 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 years 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 286

Proposal for a regulation

Annex I – Part XI – point 104 – paragraph 3 – point 2

Directive 97/70/EC

Article 8a – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to in Article **8(1)** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment

3. The delegation of power referred to in Article **8** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment 287

Proposal for a regulation

Annex I – Part XI – point 104 – paragraph 3 – point 2

Directive 97/70/EC

Article 8a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 8(1) shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 8 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Amendment 288

Proposal for a regulation

Annex I – Part XI – point 105 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

In order to ensure that Union standards are protected, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission amending this Directive in order to exclude from its scope any amendment to Marpol 73/78 if, on the basis of an evaluation by the Commission, there is a manifest risk that such international amendment would lower the standard of maritime safety, prevention of pollution from ships or of protection of shipboard living and working conditions, established by Union maritime legislation, or would be incompatible with the latter.

Amendment 289

Proposal for a regulation

Annex I – Part XI – point 105 – paragraph 3 – point 1

Article 13a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 15 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 15 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 290

Proposal for a regulation

Annex I – Part XI – point 105 – paragraph 3 – point 3

Article 15 – paragraph 3

Text proposed by the Commission

3. The ***amendments*** to the international instruments referred to in Article 2 ***may be excluded from the scope of this Directive pursuant to Article 5 of Regulation (EC) No 2099/2002 of the European Parliament and of the Council****.

Amendment

3. The ***Commission is empowered to adopt delegated acts in accordance with Article 13a amending this Directive in order to exclude from its scope any amendment*** to the international instrument referred to in Article 2 ***if, on the basis of an evaluation by the Commission, there is a manifest risk that such international amendment would lower the standard of maritime safety, of prevention of pollution***

from ships or of protection of shipboard living and working conditions, established by Union maritime legislation, or would be incompatible with the latter.

* *Regulation (EC) No 2099/2002 of the European Parliament and of the Council of 5 November 2002 establishing a Committee on Safe Seas and the Prevention of Pollution from Ships (COSS) and amending the Regulations on maritime safety and the prevention of pollution from ships (OJ L 324, 29.11.2002, p. 1)."*

Amendment 291

Proposal for a regulation

Annex I – Part XI – point 106 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

In order to ensure that Union standards are protected, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission amending this Directive in order to exclude from its scope any amendment to the international instruments referred to in Article 3 of this Directive, if, on the basis of an evaluation by the Commission, there is a manifest risk that such international amendments would lower the standard of maritime safety, prevention of pollution from ships or of protection of shipboard living and working conditions, established by Union maritime legislation, or would be incompatible with the latter.

Amendment 292

Proposal for a regulation

Annex I – Part XI – point 106 – paragraph 3 – point 2

Directive 2001/96/EC

Article 15 – paragraph 3

Text proposed by the Commission

The **amendments** to the international instruments referred to in Article 3 **may be excluded from the scope of this Directive, pursuant to Article 5 of Regulation (EC) No 2099/2002.**

Amendment

The **Commission is empowered to adopt delegated acts in accordance with Article 15a amending this Directive in order to exclude from its scope any amendment to the international instrument referred to in Article 3 if, on the basis of an evaluation by the Commission, there is a manifest risk that such international amendment would lower the standard of maritime safety, of prevention of pollution from ships or of protection of shipboard living and working conditions, established by Union maritime legislation, or would be incompatible with the latter.**

Amendment 293

Proposal for a regulation

Annex I – Part XI – point 106 – paragraph 3 – point 2

Directive 2001/96/EC

Article 15 – footnote

Text proposed by the Commission

* **OJ L 123, 12.5.2016, p. 1.**

Amendment

deleted

Amendment 294

Proposal for a regulation

Annex I – Part XI – point 106 – paragraph 3 – point 3

Directive 2001/96/EC

Article 15a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts

Amendment

2. The power to adopt delegated acts

referred to in Article 15 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

referred to in Article 15 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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 295

Proposal for a regulation

Annex I – Part XI – point 111 – paragraph 3 – point 1 – point a – point ii

Regulation (EC) No 782/2003

Article 6 – paragraph 1 – subparagraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 8a *concerning the establishment of a harmonised* survey and certification regime for the ships referred to in point (b) of this paragraph, if necessary.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 8a *to supplement this Regulation by establishing a harmonized* survey and certification regime for the ships referred to in point (b) of *the first subparagraph of* this paragraph, if necessary.”

Amendment 296

Proposal for a regulation

Annex I – Part XI – point 111 – paragraph 3 – point 4

Regulation (EC) No 782/2003

Article 8a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6(1) and Article 8 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 6(1) and Article 8 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 297

Proposal for a regulation

Annex I – Part XI – point 112 – paragraph 3 – point 1 – point b

Directive [2004/52/EC](#)

Article 4 – paragraph 4

Text proposed by the Commission

4. The Commission is empowered to adopt delegated acts in accordance with Article 4a ***concerning the definition of*** the European electronic toll service. Such acts shall only be adopted if all the conditions, evaluated on the basis of appropriate studies, are in place to enable interoperability to work from all points of view, including technical, legal and commercial conditions.

Amendment

4. The Commission is empowered to adopt delegated acts in accordance with Article 4a ***to supplement this Regulation by defining*** the European electronic toll service. Such acts shall only be adopted if all the conditions, evaluated on the basis of appropriate studies, are in place to enable interoperability to work from all points of view, including technical, legal and commercial conditions.

Amendment 298

Proposal for a regulation

Annex I – Part XI – point 112 – paragraph 3 – point 1 – point b

Directive 2004/52/EC

Article 4 – paragraph 5

Text proposed by the Commission

5. The Commission is empowered to adopt delegated acts in accordance with Article 4a **concerning** technical decisions relating to the realisation of the European electronic toll service.;

Amendment

5. The Commission is empowered to adopt delegated acts in accordance with Article 4a **to supplement this Directive by adopting** technical decisions relating to the realisation of the European electronic toll service.;

Amendment 299

Proposal for a regulation

Annex I – Part XI – point 112 – paragraph 3 – point 2

Directive 2004/52/EC

Article 4a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(2), (4) and (5) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 4(2), (4) and (5) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 300

Proposal for a regulation

Annex I – Part XI – point 113 – paragraph 2 – point 2

Directive 2004/54/EC

Article 16a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 16 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 16 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 301

Proposal for a regulation

Annex I – Part XI – point 114 – paragraph 1

Text proposed by the Commission

In order to adapt Regulation (EC) No 725/2004 to the evolution of international law, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend that Regulation in order to integrate the amendments to certain international instruments. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In

Amendment

In order to adapt Regulation (EC) No 725/2004 to the evolution of international law, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend that Regulation in order to integrate the amendments to certain international instruments ***and to supplement it in order to establish harmonised procedures for the application of the mandatory provisions of the ISPS Code, without broadening the scope of that Regulation.*** It is of particular importance that the Commission carry out appropriate consultations during its preparatory work,

particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment 302

Proposal for a regulation

Annex I – Part XI – point 114 – paragraph 2

Text proposed by the Commission

Amendment

In order to ensure uniform conditions for the implementation of Regulation (EC) No 725/2004 implementing powers should be conferred on the Commission in order to define harmonised procedures for the application of the mandatory provisions of the ISPS Code, without broadening the scope of that Regulation. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

deleted

Amendment 303

Proposal for a regulation

Annex I – Part XI – point 114 – paragraph 3 – point 1

Regulation (EC) No 725/2004

Article 10 – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission *shall* establish

3. The Commission *is empowered to*

harmonised procedures for the application of the mandatory provisions of the ISPS Code, without broadening the scope of this Regulation. ***Those implementing acts shall be adopted in accordance with the procedure referred to in Article 11(2).***

adopt delegated acts in accordance with Article 10a supplementing this Regulation in order to establish harmonised procedures for the application of the mandatory provisions of the ISPS Code, without broadening the scope of this Regulation.";

Amendment 304

Proposal for a regulation

Annex I – Part XI – point 114 – paragraph 3 – point 2

Regulation (EC) No 725/2004

Article 10a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 10(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of ***the*** entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 10(2) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 305

Proposal for a regulation

Annex I – Part XI – point 117 – paragraph 2 – point 1

Regulation (EC) No 868/2004

Article 5 – paragraph 3

Text proposed by the Commission

“3. The Commission is empowered to adopt delegated acts in accordance with Article 14a **concerning** a detailed methodology for determining the existence of unfair pricing practices. This methodology shall cover, inter alia, the manner in which normal competitive pricing, actual costs and reasonable profit margins are to be assessed in the specific context of the aviation sector.”

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 14a **to supplement this Regulation by establishing** a detailed methodology for determining the existence of unfair pricing practices. This methodology shall cover, inter alia, the manner in which normal competitive pricing, actual costs and reasonable profit margins are to be assessed in the specific context of the aviation sector.”

Amendment 306

Proposal for a regulation

Annex I – Part XI – point 117 – paragraph 2 – point 2

Regulation (EC) No 868/2004

Article 14a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 5(3) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 5(3) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 307

Proposal for a regulation

Annex I – Part XI – point 121 – paragraph 3 – point 1 – point a

Directive 2006/126/EC

Article 1 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 8a **concerning** requirements for the microchip referred to in Annex I. Those requirements shall provide for EC type-approval, which shall only be granted when the ability to resist attempts to tamper with or alter data is demonstrated.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 8a **to supplement this Directive by laying down** requirements for the microchip referred to in Annex I. Those requirements shall provide for EC type-approval, which shall only be granted when the ability to resist attempts to tamper with or alter data is demonstrated.

Amendment 308

Proposal for a regulation

Annex I – Part XI – point 121 – paragraph 3 – point 2

Directive 2006/126/EC

Article 3 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 8a **in order to establish appropriate** anti-forgery specifications.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 8a **to supplement this Directive by establishing appropriate** anti-forgery specifications.

Amendment 309

Proposal for a regulation

Annex I – Part XI – point 121 – paragraph 3 – point 4

Directive 2006/126/EC

Article 8a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 1(2) and (3), Article 3(2) and Article 8 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 1(2) and (3), Article 3(2) and Article 8 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 310

Proposal for a regulation

Annex I – Part XI – point 123 – paragraph 3 – point 1

Directive [2007/59/EC](#)

Article 4 – paragraph 4 – subparagraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 31a establishing, on the basis of a draft prepared by the Agency, a Community model for the licence, the certificate and the certified copy of the certificate, and to determine their physical characteristics, taking into account therein anti-forgery measures.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 31a ***to supplement this Directive by*** establishing, on the basis of a draft prepared by the Agency, a Community model for the licence, the certificate and the certified copy of the certificate, and to determine their physical characteristics, taking into account therein anti-forgery measures.

Amendment 311

Proposal for a regulation

Annex I – Part XI – point 123 – paragraph 3 – point 1

Directive 2007/59/EC

Article 4 – paragraph 4 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 31a establishing, on the basis of a recommendation prepared by the Agency, the Community Codes for the different types in categories A and B as referred to in paragraph 3 of this Article. ;

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 31a **to supplement this Directive by** establishing, on the basis of a recommendation prepared by the Agency, the Community Codes for the different types in categories A and B as referred to in paragraph 3 of this Article.

Amendment 312

Proposal for a regulation

Annex I – Part XI – point 123 – paragraph 3 – point 2

Directive 2007/59/EC

Article 22 – paragraph 4 – subparagraph 2

Text proposed by the Commission

“To this end, the Commission is empowered to adopt delegated acts in accordance with Article 31a establishing, on the basis of a draft prepared by the Agency, the basic parameters of the registers to be set up, such as data to be recorded, their format and the data exchange protocol, access rights, the duration of data retention and the procedures to be followed in cases of bankruptcy.”

Amendment

“To this end, the Commission is empowered to adopt delegated acts in accordance with Article 31a **to supplement this Directive by** establishing, on the basis of a draft prepared by the Agency, the basic parameters of the registers to be set up, such as data to be recorded, their format and the data exchange protocol, access rights, the duration of data retention and the procedures to be followed in cases of bankruptcy.”

Amendment 313

Proposal for a regulation

Annex I – Part XI – point 123 – paragraph 3 – point 3 – point b

Directive 2007/59/EC

Article 23 – paragraph 3 – subparagraph 1a

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 31a **in order to establish** those criteria.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 31a **to supplement this Directive by establishing** those criteria.”

Amendment 314

Proposal for a regulation

Annex I – Part XI – point 123 – paragraph 3 – point 4

Directive 2007/59/EC

Article 25 – paragraph 5 – subparagraph 1

Text proposed by the Commission

The choice of examiners and examinations may be subject to Union criteria. The Commission is empowered to adopt delegated acts in accordance with Article 31a establishing such Union criteria on the basis of a draft prepared by the Agency.

Amendment

The choice of examiners and examinations may be subject to Union criteria. The Commission is empowered to adopt delegated acts in accordance with Article 31a **to supplement this Directive by** establishing such Union criteria on the basis of a draft prepared by the Agency.

Amendment 315

Proposal for a regulation

Annex I – Part XI – point 123 – paragraph 3 – point 6

Directive 2007/59/EC

Article 31a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts

Amendment

2. The power to adopt delegated acts

referred to in Article 4(4), Article 22(4), Article 23(3), Article 25(5), Article 31(1) and Article 34 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

referred to in Article 4(4), Article 22(4), Article 23(3), Article 25(5), Article 31(1) and Article 34 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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 316

Proposal for a regulation

Annex I – Part XI – point 123 – paragraph 3 – point 8

Directive [2007/59/EC](#)

Article 34 – paragraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 31a laying down the technical and operating specifications for such a smartcard.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 31a *to supplement this Directive by* laying down the technical and operating specifications for such a smartcard.”

Amendment 317

Proposal for a regulation

Annex I – Part XI – point 124 – paragraph 3 – point 1

Regulation (EC) No [1371/2007](#)

Article 34 – paragraph 1

Text proposed by the Commission

Amendment

1. The Commission is empowered to adopt delegated acts in accordance with Article 34a *concerning* the measures referred to in Articles 2, 10 and 12.

1. The Commission is empowered to adopt delegated acts in accordance with Article 34a *to supplement this Regulation by adopting* the measures referred to in Articles 2, 10 and 12.

Amendment 318

Proposal for a regulation

Annex I – Part XI – point 124 – paragraph 3 – point 2

Regulation (EC) No 1371/2007

Article 34a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 33 and Article 34 shall be conferred on the Commission for *an indeterminate* period of *time* from [*the* date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 33 and Article 34 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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 319

Proposal for a regulation

Annex I – Part XI – point 126 – paragraph 3 – point 1

Directive 2008/96/EC

Article 7 – paragraph 1a

Text proposed by the Commission

“1a. The Commission is empowered to adopt delegated acts in accordance with Article 12a determining common criteria according to which accident severity, including number of fatalities and injured persons, is to be reported.”

Amendment

“1a. The Commission is empowered to adopt delegated acts in accordance with Article 12a **to supplement this Directive by** determining common criteria according to which accident severity, including number of fatalities and injured persons, is to be reported.”

Amendment 320

Proposal for a regulation

Annex I – Part XI – point 126 – paragraph 3 – point 4

Directive 2008/96/EC

Article 12a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 7(1a) and Article 12 shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 7(1a) and Article 12 shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 321

Proposal for a regulation

Annex I – Part XI – point 127 – paragraph 3 – point 1 – point a – point i

Regulation (EC) No 300/2008

Article 4 – paragraph 2 – subparagraph 1

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 18a laying down certain elements of the common basic standards.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 18a **to supplement this Regulation by** laying down certain elements of the common basic standards.”

Amendment 322

Proposal for a regulation

Annex I – Part XI – point 127 – paragraph 3 – point 1 – point b

Regulation (EC) No 300/2008

Article 4 – paragraph 4 – subparagraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 18a setting criteria to allow Member States to derogate from the common basic standards referred to in paragraph 1 and to adopt alternative security measures that provide an adequate level of protection on the basis of a local risk assessment. Such alternative measures shall be justified by reasons relating to the size of the aircraft, or by reasons relating to the nature, scale or frequency of operations or of other relevant activities.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 18a **to supplement this Regulation by** setting criteria to allow Member States to derogate from the common basic standards referred to in paragraph 1 and to adopt alternative security measures that provide an adequate level of protection on the basis of a local risk assessment. Such alternative measures shall be justified by reasons relating to the size of the aircraft, or by reasons relating to the nature, scale or frequency of operations or of other relevant activities.

Amendment 323

Proposal for a regulation

Annex I – Part XI – point 127 – paragraph 3 – point 3

Regulation (EC) No 300/2008

Article 18a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(2) and (4) and Article 11(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 4(2) and (4) and Article 11(2) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 324

Proposal for a regulation

Annex I – Part XI – point 129 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

In order to ensure that Union standards are protected, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission amending this Directive in order to exclude from its scope any amendment to the IMO Code for the Investigation of Marine Casualties and Incidents, if, on the basis of an evaluation by the Commission, there is a manifest risk that such international amendment would lower the standard of maritime safety, prevention of pollution from ships or of protection of shipboard living and working conditions, established by Union maritime legislation, or would be incompatible with the latter.

Amendment 325

Proposal for a regulation

Annex I – Part XI – point 129 – paragraph 3 – point 1

Directive 2009/18/EC

Article 5 – paragraph 4 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 18a **concerning** the common methodology for investigating marine casualties and incidents taking into account any relevant lessons drawn from safety investigations.;

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 18a **to supplement this Directive by establishing** the common methodology for investigating marine casualties and incidents taking into account any relevant lessons drawn from safety investigations.

Amendment 326

Proposal for a regulation

Annex I – Part XI – point 129 – paragraph 3 – point 2

Directive 2009/18/EC

Article 18a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 5(4) and Article 20 shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 5(4) and Article 20 shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 327

Proposal for a regulation

Annex I – Part XI – point 129 – paragraph 3 – point 4

Directive 2009/18/EC

Article 20 – paragraph 3

Text proposed by the Commission

3. *Amendments* to the IMO Code for the Investigation of Marine Casualties and Incidents *may be excluded from the scope of this Directive pursuant to Article 5 of Regulation (EC) No 2099/2002.*

Amendment

3. *The Commission is empowered to adopt delegated acts in accordance with Article 18a amending this Directive in order to exclude from its scope any amendment to the IMO Code for the Investigation of Marine Casualties and Incidents if, on the basis of an evaluation by the Commission, there is a manifest risk that such international amendment would lower the standard of maritime safety, of prevention of pollution from ships or of protection of shipboard living and working conditions, established by Union maritime legislation, or would be incompatible with the latter.*

Amendment 328

Proposal for a regulation

Annex I – Part XI – point 130 – paragraph 2 – point 2

Directive 2009/33/EC

Article 8a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 7 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 7 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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 329

Proposal for a regulation

Annex I – Part XI – point 133 – paragraph 3 – point 1

Regulation (EC) No 1071/2009

Article 6 – paragraph 2 – point b – paragraphs 1 and 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 24a establishing a list of categories, types and degrees of seriousness of serious infringements of Union rules which, in addition to those set out in Annex IV, may lead to the loss of good repute. Member States shall take into account information on those infringements, including information received from other Member States, when setting the priorities for checks pursuant to Article 12(1).”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 24a **to supplement this Regulation by** establishing a list of categories, types and degrees of seriousness of serious infringements of Union rules which, in addition to those set out in Annex IV, may lead to the loss of good repute. Member States shall take into account information on those infringements, including information received from other Member States, when setting the priorities for checks pursuant to Article 12(1).”

Amendment 330

Proposal for a regulation

Annex I – Part XI – point 133 – paragraph 3 – point 6

Regulation (EC) No 1071/2009

Article 24a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6(2) and Article 8(9) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 6(2) and Article 8(9) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 331

Proposal for a regulation

Annex I – Part XI – point 134 – paragraph 2 – point 3

Regulation (EC) No 1072/2009

Article 14a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(2) and (4) and Article 5(4) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 4(2) and (4) and Article 5(4) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 332

Proposal for a regulation

Annex I – Part XI – point 135 – paragraph 3 – point 2 – point a

Regulation (EC) No 1073/2009

Article 5 – paragraph 3 – subparagraph 5

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 25a **concerning** the procedures for the names of such carriers and the connection points en route to be communicated to the competent authorities of the Member States concerned.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 25a **to supplement this Regulation by establishing** the procedures for the names of such carriers and the connection points en route to be communicated to the competent authorities of the Member States concerned.”

Amendment 333

Proposal for a regulation

Annex I – Part XI – point 135 – paragraph 3 – point 2 – point b

Regulation (EC) No 1073/2009

Article 5 – paragraph 5 – subparagraph 3

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 25a **concerning** the format of certificates.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 25a **to supplement this Regulation by establishing** the format of certificates.”

Amendment 334

Proposal for a regulation

Annex I – Part XI – point 135 – paragraph 3 – point 3

Article 6 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts in accordance with Article 25a **concerning** the format of authorisations.”

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 25a **to supplement this Regulation by establishing** the format of authorisations.”

Amendment 335

Proposal for a regulation

Annex I – Part XI – point 135 – paragraph 3 – point 4

Regulation (EC) No 1073/2009

Article 7 – paragraph 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 25a **concerning** the format of applications.”

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 25a **to supplement this Regulation by establishing** the format of applications.”

Amendment 336

Proposal for a regulation

Annex I – Part XI – point 135 – paragraph 3 – point 5

Regulation (EC) No 1073/2009

Article 12 – paragraph 5

Text proposed by the Commission

“5. The Commission is empowered to adopt delegated acts in accordance with Article 25a **concerning** the format of the journey form, the book of journey forms

Amendment

“5. The Commission is empowered to adopt delegated acts in accordance with Article 25a **to supplement this Regulation by establishing** the format of the journey

and the way in which they are used.”

form, the book of journey forms and the way in which they are used.”

Amendment 337

Proposal for a regulation

Annex I – Part XI – point 135 – paragraph 3 – point 6

Regulation (EC) No 1073/2009

Article 25a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(2), Article 5(3) and (5), Article 6(4), Article 7(2), Article 12(5) and Article 28(3) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 4(2), Article 5(3) and (5), Article 6(4), Article 7(2), Article 12(5) and Article 28(3) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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 338

Proposal for a regulation

Annex I – Part XI – point 135 – paragraph 3 – point 8

Regulation (EC) No 1073/2009

Article 28 – paragraph 3

Text proposed by the Commission

“3. The Commission is empowered to

Amendment

“3. The Commission is empowered to

adopt delegated acts in accordance with Article 25a **concerning** the format of the table to be used for the communication of the statistics referred to in paragraph 2.”

adopt delegated acts in accordance with Article 25a **to supplement this Regulation by establishing** the format of the table to be used for the communication of the statistics referred to in paragraph 2.”

Amendment 339

Proposal for a regulation

Annex I – Part XII – point 136 – paragraph 2 – point 1

Directive 89/108/EEC

Article 4 – paragraph 3

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 11a determining the purity criteria to be satisfied by those cryogenic media.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 11a **to supplement this Directive by** determining the purity criteria to be satisfied by those cryogenic media.”

Amendment 340

Proposal for a regulation

Annex I – Part XII – point 136 – paragraph 2 – point 2

Directive 89/108/EEC

Article 11 – paragraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 11a determining the sampling procedures for quick-frozen foodstuffs and the procedures for monitoring their temperature and for monitoring temperatures in the means of transport, warehousing and storage.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 11a **to supplement this Directive by** determining the sampling procedures for quick-frozen foodstuffs and the procedures for monitoring their temperature and for monitoring temperatures in the means of transport, warehousing and storage.

Amendment 341

Proposal for a regulation

Annex I – Part XII – point 136 – paragraph 2 – point 3

Directive 89/108/EEC

Article 11a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Articles 4 and 11 shall be conferred for *an indeterminate* period of *time* from [*the* date of *the* entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Articles 4 and 11 shall be conferred *on the Commission* for *a* period of *five years* from ... [date of entry into force of this *amending 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 342

Proposal for a regulation

Annex I – Part XII – point 137 – paragraph 1

Text proposed by the Commission

In order to achieve the objectives of Directive 1999/2/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend that Directive to the extent necessary to ensure the protection of public health and to supplement that Directive in respect of exceptions relating to the maximum radiation dose for foodstuffs, the supplementary requirements for facilities. It is of particular importance that the Commission carry out appropriate

Amendment

In order to achieve the objectives of Directive 1999/2/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend that Directive to the extent necessary to ensure the protection of public health and to supplement that Directive in respect of exceptions relating to the maximum radiation dose for foodstuffs *and* the supplementary requirements for facilities. It is of particular importance that the Commission

consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016*. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment 343

Proposal for a regulation

Annex I – Part XII – point 137 – paragraph 2 – point 1

Directive 1999/2/EC

Article 5 – paragraph 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 11a **allowing** exceptions to paragraph 1 taking into account the available scientific knowledge and the relevant international standards.”

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 11a **to supplement this Directive in order to allow** exceptions to paragraph 1 taking into account the available scientific knowledge and the relevant international standards.”

Amendment 344

Proposal for a regulation

Annex I – Part XII – point 137 – paragraph 2 – point 2

Directive 1999/2/EC

Article 7 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 11a concerning the supplementary requirement referred to in the first indent of the first subparagraph of this Article taking into account requirements in terms of efficacy and safety of treatment used, and related to good hygienic practices of food processing.;

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 11a **to supplement this Directive by establishing rules** concerning the supplementary requirement referred to in the first indent of the first subparagraph of this Article taking into account requirements in terms of efficacy and safety of treatment used, and related to good hygienic practices of food processing.

Amendment 345

Proposal for a regulation

Annex I – Part XII – point 137 – paragraph 2 – point 3

Directive 1999/2/EC

Article 11a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 5(2), Article 7(2) and Article 14(3) shall be conferred for **an indeterminate** period of **time** from [*the* entry into force of this **OMNIBUS**].

Amendment

2. The power to adopt delegated acts referred to in Article 5(2), Article 7(2) and Article 14(3) shall be conferred **on the Commission** for a period of **five years** from ... [*date of* entry into force of this **amending 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 346

Proposal for a regulation

Annex I – Part XII – point 141 – paragraph 1

Text proposed by the Commission

In order to achieve the objectives of Regulation (EC) No 999/2001, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Regulation **and** to supplement that Regulation by:

- **approving** rapid tests,
- amending the age of bovine animals to be covered by annual monitoring programmes,
- **laying down** the criteria to demonstrate improvement of the epidemiological situation of the country **and to list them in the Annex**,
- deciding to allow feeding of young animals of ruminant species with proteins derived from fish,

laying down detailed criteria for granting such exemption from prohibitions concerning animal feeding,

- deciding to introduce a tolerance level for insignificant amounts of animal proteins in feedingstuffs caused through adventitious and technically unavoidable contamination,
- deciding on the age,
- laying down rules providing for exemptions from the requirement to remove and destroy specified risk material,
- approving production processes,
- deciding to extend certain provisions to other animal species,
- deciding to extend to other products of animal origin,
- adopting the method to confirm BSE in ovine and caprine animals.

Amendment

In order to achieve the objectives of Regulation (EC) No 999/2001, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Regulation **by**:

- **updating the list of permitted** rapid tests,
- amending the age of bovine animals to be covered by annual monitoring programmes,
- **updating the list of** criteria to demonstrate improvement of the epidemiological situation of the country,
- deciding to allow feeding of young animals of ruminant species with proteins derived from fish.

The power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to supplement that Regulation by:

- laying down detailed criteria for granting such exemption from prohibitions concerning animal feeding,
- deciding to introduce a tolerance level for insignificant amounts of animal proteins in feedingstuffs caused through adventitious and technically unavoidable contamination,
- deciding on the age,
- laying down rules providing for exemptions from the requirement to remove and destroy specified risk material,
- approving production processes,
- deciding to extend certain provisions to other animal species,
- deciding to extend to other products of animal origin,
- adopting the method to confirm BSE in ovine and caprine animals.

Amendment 347

Proposal for a regulation

Annex I – Part XII – point 141 – paragraph 3 – point 1

Regulation (EC) No 999/2001

Article 5 – paragraph 3 – subparagraph 3

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 23b approving the rapid tests referred to in the second subparagraph. The Commission is empowered to adopt delegated acts in accordance with Article 23b amending Annex X, Chapter C, point 4 to update the list set out therein.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 23b amending Annex X, Chapter C, point 4 to update the list ***of permitted rapid tests*** set out therein.”

Amendment 348

Proposal for a regulation

Annex I – Part XII – point 141 – paragraph 3 – point 2 – point a

Regulation (EC) No 999/2001

Article 6 – paragraph 1 – subparagraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 23b approving the rapid tests for that purpose. The Commission is empowered to adopt delegated acts in accordance with Article 23b amending Annex X to list those tests.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 23b amending Annex X to list ***the rapid tests permitted for that purpose.***”

Amendment 349

Proposal for a regulation

Annex I – Part XII – point 141 – paragraph 3 – point 2 – point b

Regulation (EC) No 999/2001

Article 6 – paragraph 1b – subparagraph 2

Text proposed by the Commission

At the request of a Member State which can demonstrate the improvement of the epidemiological situation of the country, the annual monitoring programmes of that particular Member State may be revised. The Commission is empowered to adopt delegated acts in accordance with Article 23b:

(a) establishing certain criteria according to which the improvement of the epidemiological situation of the country, for the purpose of revising the monitoring programmes, should be assessed;

(b) amending point 7 of Part I of Chapter A of Annex III to list the criteria referred to in point (a).;

(Parliament's amendment takes over points (a) and (b) of the second subparagraph of paragraph 1b of Article 6 in the Commission proposal.)

Amendment

At the request of a Member State which can demonstrate the improvement of the epidemiological situation of the country, the annual monitoring programmes of that particular Member State may be revised. The Commission is empowered to adopt delegated acts in accordance with Article 23b ***amending point 7 of Part I of Chapter A of Annex III to list the*** criteria according to which the improvement of the epidemiological situation of the country, for the purpose of revising the monitoring programmes, should be assessed.

Amendment 350

Proposal for a regulation

Annex I – Part XII – point 141 – paragraph 3 – point 3 – point b

Regulation (EC) No 999/2001

Article 7 – paragraph 4 – subparagraph 3

Text proposed by the Commission

“At the request of a Member State or third country a decision in accordance with the

Amendment

“At the request of a Member State or third country a decision in accordance with the

procedure referred to in Article 24(2) may be taken to grant individual exemptions from the restrictions in this paragraph. Any exemption shall take account of the provisions provided for in paragraph 3 of this Article. The Commission is empowered to adopt delegated acts in accordance with Article 23b laying down detailed criteria to be taken in to account when granting such exemption.”

procedure referred to in Article 24(2) may be taken to grant individual exemptions from the restrictions in this paragraph. Any exemption shall take account of the provisions provided for in paragraph 3 of this Article. The Commission is empowered to adopt delegated acts in accordance with Article 23b **to supplement this Regulation by** laying down detailed criteria to be taken in to account when granting such exemption.”

Amendment 351

Proposal for a regulation

Annex I – Part XII – point 141 – paragraph 3 – point 3 – point c

Regulation (EC) No 999/2001

Article 7 – paragraph 4a

Text proposed by the Commission

“4a. The Commission is empowered to adopt delegated acts in accordance with Article 23b setting a tolerance level for insignificant amounts of animal proteins in **feedingstuffs** caused through adventitious and technically unavoidable contamination, based on a favourable risk assessment taking into account at least the amount and possible source of contamination and the final destination of the consignment.”

Amendment

“4a. The Commission is empowered to adopt delegated acts in accordance with Article 23b **to supplement this Regulation by** setting a tolerance level for insignificant amounts of animal proteins in **feedingstuffs** caused through adventitious and technically unavoidable contamination, based on a favourable risk assessment taking into account at least the amount and possible source of contamination and the final destination of the consignment.”

Amendment 352

Proposal for a regulation

Annex I – Part XII – point 141 – paragraph 3 – point 4 – point a

Regulation (EC) No 999/2001

Article 8 – paragraph 1

“1. The specified risk material shall be removed and disposed of in accordance with Annex V to this Regulation and with Regulation (EC) No 1069/2009. It shall not be imported into the Union. The list of specified risk material referred to in Annex V shall include at least the brain, spinal cord, eyes and tonsils of bovine animals aged over 12 months and the vertebral column of bovine animals above an age to be determined by the Commission. The Commission is empowered to adopt delegated acts in accordance with Article 23b to **determine** that age. The Commission is empowered to adopt delegated acts in accordance with Article 23b amending the list of specified risk material in Annex V taking into account the different risk categories laid down in the first subparagraph of Article 5(1) and the requirements of Article 6(1a) and (1b)(b).”

“1. The specified risk material shall be removed and disposed of in accordance with Annex V to this Regulation and with Regulation (EC) No 1069/2009. It shall not be imported into the Union. The list of specified risk material referred to in Annex V shall include at least the brain, spinal cord, eyes and tonsils of bovine animals aged over 12 months and the vertebral column of bovine animals above an age to be determined by the Commission. The Commission is empowered to adopt delegated acts in accordance with Article 23b to **supplement this Regulation by determining** that age. The Commission is empowered to adopt delegated acts in accordance with Article 23b amending the list of specified risk material in Annex V taking into account the different risk categories laid down in the first subparagraph of Article 5(1) and the requirements of Article 6(1a) and (1b)(b).”

Amendment 353

Proposal for a regulation

Annex I – Part XII – point 141 – paragraph 3 – point 4 – point b

Regulation (EC) No 999/2001

Article 8 – paragraph 2 – paragraph 1

“The Commission is empowered to adopt delegated acts in accordance with Article 23b **to approve an alternative test** allowing to detect BSE prior to slaughter **and to amend the list in Annex X**. Paragraph 1 of this Article shall not apply to tissues from animals which have undergone the alternative test, provided that this test is applied under the conditions provided for in Annex V and the test results are negative.”

“The Commission is empowered to adopt delegated acts in accordance with Article 23b **amending Annex X to update the list of permitted alternative tests** allowing to detect BSE prior to slaughter **set out therein**. Paragraph 1 of this Article shall not apply to tissues from animals which have undergone the alternative test, provided that this test is applied under the conditions provided for in Annex V and the test results are negative.”

Amendment 354

Proposal for a regulation

Annex I – Part XII – point 141 – paragraph 3 – point 4 – point c

Regulation (EC) No 999/2001

Article 8 – paragraph 5

Text proposed by the Commission

“5. The Commission is empowered to adopt delegated acts in accordance with Article 23b laying down rules providing for exemptions from paragraphs 1 to 4 of this Article, with regard to the date of the effective enforcement of the feeding prohibition provided for in Article 7(1) or, as appropriate for third countries or regions thereof with a controlled BSE risk, with regard to the date of the effective enforcement of the ban of ruminant protein in feed for ruminants with a view to limiting the requirements to remove and destroy specified risk material to animals born before that date in the countries or regions concerned.”

Amendment

“5. The Commission is empowered to adopt delegated acts in accordance with Article 23b **to supplement this Regulation by** laying down rules providing for exemptions from paragraphs 1 to 4 of this Article, with regard to the date of the effective enforcement of the feeding prohibition provided for in Article 7(1) or, as appropriate for third countries or regions thereof with a controlled BSE risk, with regard to the date of the effective enforcement of the ban of ruminant protein in feed for ruminants with a view to limiting the requirements to remove and destroy specified risk material to animals born before that date in the countries or regions concerned.”

Amendment 355

Proposal for a regulation

Annex I – Part XII – point 141 – paragraph 3 – point 5 – point a

Regulation (EC) No 999/2001

Article 9 – paragraph 1

Text proposed by the Commission

“1. The Commission is empowered to adopt delegated acts in accordance with Article 23b approving production processes that shall be used to produce the products of animal origin listed in Annex VI.”

Amendment

“1. The Commission is empowered to adopt delegated acts in accordance with Article 23b **to supplement this Regulation by** approving production processes that shall be used to produce the products of animal origin listed in Annex VI.”

Amendment 356

Proposal for a regulation

Annex I – Part XII – point 141 – paragraph 3 – point 6

Regulation (EC) No 999/2001

Article 15 – paragraph 3

Text proposed by the Commission

“3. The Commission is empowered to adopt delegated acts in accordance with Article 23b **supplementing** this Regulation **to extend** the provisions of paragraphs 1 and 2 to other animal species.”

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 23b **to supplement** this Regulation **by extending** the provisions of paragraphs 1 and 2 to other animal species.”

Amendment 357

Proposal for a regulation

Annex I – Part XII – point 141 – paragraph 3 – point 7

Regulation (EC) No 999/2001

Article 16 – paragraph 7 – sentence 1

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 23b **supplementing** this Regulation **to extend** the provisions of paragraphs 1 to **6to** other products of animal origin.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 23b **to supplement** this Regulation **by extending** the provisions of paragraphs 1 to **6 to** other products of animal origin.”

Amendment 358

Proposal for a regulation

Annex I – Part XII – point 141 – paragraph 3 – point 8

Regulation (EC) No 999/2001

Article 20 – paragraph 2 – sentence 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 23b laying down the method to confirm BSE in ovine and caprine animals.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 23b **to supplement this Regulation by** laying down the method to confirm BSE in ovine and caprine animals.”

Amendment 359

Proposal for a regulation

Annex I – Part XII – point 141 – paragraph 3 – point 11

Regulation (EC) No 999/2001

Article 23b – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 5(3), Article 6(1), and (1b), Article 7(3), (4), and (4a), Article 8(1), (2), and (5), Article 9(1), and (3), Article 15(3), Article 16(7), Article 20(2) and Article 23 shall be conferred for **an indeterminate** period of **time** from **the** date of **the** entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 5(3), Article 6(1), and (1b), Article 7(3), (4), and (4a), Article 8(1), (2), and (5), Article 9(1) and (3), Article 15(3), Article 16(7), Article 20(2) and Article 23 shall be conferred **on the Commission** for **a** period of **five years** from ... [date of entry into force of this **amending 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 360

Proposal for a regulation

Annex I – Part XII – point 143 – paragraph 1

Text proposed by the Commission

In order to achieve the objectives of Directive 2002/46/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I and II to that Directive in order to adapt those Annexes to technical progress and to supplement that Directive as regards the purity criteria for substances listed in Annex II thereto, and the minimum amounts of vitamins and minerals that are to be present in food supplements. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016*. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment

In order to achieve the objectives of Directive 2002/46/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I and II to that Directive in order to adapt those Annexes to technical progress and to supplement that Directive as regards the purity criteria for substances listed in Annex II thereto, and the minimum *and maximum* amounts of vitamins and minerals that are to be present in food supplements. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment 361

Proposal for a regulation

Annex I – Part XII – point 143 – paragraph 2

Text proposed by the Commission

In order to ensure uniform conditions for the implementation of Directive 2002/46/EC, implementing powers should be conferred on the Commission concerning setting maximum amounts of vitamins and minerals. Those powers

Amendment

deleted

should be exercised in accordance with Regulation (EU) No 182/2011.

Amendment 362

Proposal for a regulation

Annex I – Part XII – point 143 – paragraph 3 – point 1 – point a

Directive 2002/46/EC

Article 4 – paragraph 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 12a **concerning** the purity criteria for substances listed in Annex II, except where such criteria apply pursuant to paragraph 3.”

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 12a **to supplement this Directive by establishing** the purity criteria for substances listed in Annex II, except where such criteria apply pursuant to paragraph 3.”

Amendment 363

Proposal for a regulation

Annex I – Part XII – point 143 – paragraph 3 – point 2

Directive 2002/46/EC

Article 5 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts in accordance with Article 12a setting the minimum amounts of vitamins and minerals referred to in paragraph 3 of this Article.

The Commission shall set the maximum

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 12a **in order to supplement this Directive by setting:**

(a) the minimum amounts of vitamins and minerals referred to in paragraph 3 of this Article; **and**

(b) the maximum amounts of vitamins

amounts of vitamins and minerals referred to in paragraphs 1 and 2 of this Article *by means of implementing act. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 13(2).*”

and minerals referred to in paragraphs 1 and 2 of this Article.”

Amendment 364

Proposal for a regulation

Annex I – Part XII – point 143 – paragraph 3 – point 3

Directive 2002/46/EC

Article 12 – paragraph 3

Text proposed by the Commission

(3) in Article 12, paragraph 3 is *deleted*;

Amendment

(3) in Article 12, paragraph 3 is *replaced by the following*:

“3. In order to remedy the difficulties mentioned in paragraph 1 and to ensure the protection of human health, the Commission is empowered to adopt delegated acts in accordance with Article 12a to supplement this Directive.

A Member State that has adopted safeguard measures may in that event maintain them in force until those delegated acts have been adopted.”

Amendment 365

Proposal for a regulation

Annex I – Part XII – point 143 – paragraph 3 – point 4

Directive 2002/46/EC

Article 12a

“Article 12a

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 4(2) and (5) **and** Article 5(4) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

3. The delegation of power referred to in Article 4(2) and (5) **and** Article 5(4) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the *Inter-Institutional Agreement on Better Law-Making of 13 April 2016**.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to

“Article 12a

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 4(2) and (5), Article 5(4) **and Article 12(3)** shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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**

3. The delegation of power referred to in Article 4(2) and (5), Article 5(4) **and Article 12(3)** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the *Interinstitutional Agreement of 13 April 2016* on Better Law-Making *.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to

Article 4(2) and (5) **and** Article 5(4) shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p. 1.”

Article 4(2) and (5), Article 5(4) **and Article 12(3)** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p. 1.”

Amendment 366

Proposal for a regulation

Annex I – Part XII – point 144 – paragraph 2

Text proposed by the Commission

In order to ensure uniform conditions for the implementation of point (i) of the second paragraph of Article 29 of Directive 2002/98/EC, implementing powers should be conferred on the Commission in order to establish the procedure for notifying serious adverse reactions and events as well as the notification format. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Amendment

deleted

Amendment 367

Proposal for a regulation

Annex I – Part XII – point 144 – paragraph 3 – point 1

Directive 2002/98/EC

Article 27a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in the first and third paragraphs of Article 29 shall be conferred for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***omnibus***].

Amendment

2. The power to adopt delegated acts referred to in the first and third paragraphs of Article 29 shall be conferred ***on the Commission*** for a period of ***five years*** from ... [date of entry into force of this ***amending 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 368

Proposal for a regulation

Annex I – Part XII – point 144 – paragraph 3 – point 3 – point a

Directive [2002/98/EC](#)

Article 29 – paragraph 1

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 27a ***concerning amendments to*** the technical requirements set out in Annexes I to IV in order to adapt them to technical and scientific progress.

Where in the case of the technical requirements set out in Annexes III and IV imperative grounds of urgency so require, the procedure provided for in Article 27b shall apply to delegated acts adopted pursuant to this Article.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 27a ***to amend*** the technical requirements set out in Annexes I to IV in order to adapt them to technical and scientific progress.

Where in the case of the technical requirements set out in Annexes III and IV imperative grounds of urgency so require, the procedure provided for in Article 27b shall apply to delegated acts adopted pursuant to this Article.”

Amendment 369

Proposal for a regulation

Annex I – Part XII – point 144 – paragraph 3 – point 3 – point b

Directive 2002/98/EC

Article 29 – paragraph 2 – point i

Text proposed by the Commission

Amendment

(b) in the second paragraph, point (i) is deleted; ***deleted***

Amendment 370

Proposal for a regulation

Annex I – Part XII – point 144 – paragraph 3 – point 3 – point d

Directive 2002/98/EC

Article 29 – paragraph 5

Text proposed by the Commission

Amendment

(d) the following fifth paragraph is added: ***deleted***

"The Commission shall establish the procedure for notifying serious adverse reactions and events as well as the notification format by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 28(2)."

Amendment 371

Proposal for a regulation

Annex I – Part XII – point 146 – paragraph 2 – point 2

Directive 2003/99/EC

Article 5 – paragraph 1

Text proposed by the Commission

“1. If data collected through routine monitoring in accordance with Article 4 are not sufficient, the Commission is empowered to adopt delegated acts in accordance with Article 11a, laying down coordinated monitoring programmes concerning one or more zoonoses or zoonotic agents. Those delegated acts shall be adopted especially when specific needs are identified and when there is need to assess risks or to establish baseline values related to zoonoses or zoonotic agents at the level of Member States or at Union level.”

Amendment

“1. If data collected through routine monitoring in accordance with Article 4 are not sufficient, the Commission is empowered to adopt delegated acts in accordance with Article 11a **to supplement this Directive** by laying down coordinated monitoring programmes concerning one or more zoonoses or zoonotic agents. Those delegated acts shall be adopted especially when specific needs are identified and when there is need to assess risks or to establish baseline values related to zoonoses or zoonotic agents at the level of Member States or at Union level.”

Amendment 372

Proposal for a regulation

Annex I – Part XII – point 146 – paragraph 2 – point 2 a (new)

Directive 2003/99/EC

Article 11 – title

Present text

Amendments to the Annexes and **transitional or** implementing measures

Amendment

(2a) in Article 11, the title is replaced by the following:

Amendments to the Annexes and implementing measures

Amendment 373

Proposal for a regulation

Annex I – Part XII – point 146 – paragraph 2 – point 3 a (new)

Directive 2003/99/EC

Article 11 – paragraph 3

Present text

Other implementing **or transitional** measures may be adopted in accordance with the **regulatory** procedure referred to in Article 12(2).

Amendment

(3a) in Article 11 paragraph 3 is replaced by the following:

In addition, implementing measures may be adopted in accordance with the **committee** procedure referred to in Article 12(2).”

Amendment 374

Proposal for a regulation

Annex I – Part XII – point 146 – paragraph 2 – point 4

Directive 2003/99/EC

Article 11a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(4), Article 5(1) and Article 11 shall be conferred for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The powers to adopt delegated acts referred to in Article 4(4), Article 5(1) and Article 11 shall be conferred **on the Commission** for a period of **five years** from ... [date of entry into force of this **amending 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 375

Proposal for a regulation

Annex I – Part XII – point 147 – paragraph 1

Text proposed by the Commission

In order to achieve the objectives of Regulation (EC) No 1829/2003, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annex to that Regulation in order to adapt to technical progress and to supplement that Regulation by establishing appropriate lower thresholds for GMO presence in food and feed, below which the labelling requirements do not apply, subject to certain conditions and by establishing specific rules concerning the information to be given by mass caterers providing food to the final consumer.

Amendment

In order to achieve the objectives of Regulation (EC) No 1829/2003, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annex to that Regulation in order to adapt to technical progress and to supplement that Regulation ***by determining which food and feed falls within the scope of different sections of that Regulation***, by establishing appropriate lower thresholds for GMO presence in food and feed, below which the labelling requirements do not apply, subject to certain conditions, ***by establishing measures for operators to satisfy the competent authorities and measures necessary for operators to comply with the labelling requirements*** and by establishing specific rules concerning the information to be given by mass caterers providing food to the final consumer.

Amendment 376

Proposal for a regulation

Annex I – Part XII – point 147 – paragraph 3

Text proposed by the Commission

In order to ensure uniform conditions for the implementation of Regulation (EC) No 1829/2003, implementing powers should be conferred on the Commission concerning ***measures for operators to satisfy the competent authorities, measures necessary for operators to comply with the labelling requirements and*** rules to facilitate the uniform application of certain provisions. Those powers should be exercised in accordance

Amendment

In order to ensure uniform conditions for the implementation of Regulation (EC) No 1829/2003, implementing powers should be conferred on the Commission concerning rules to facilitate the uniform application of certain provisions. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

with Regulation (EU) No 182/2011.

Amendment 377

Proposal for a regulation

Annex I – Part XII – point 147 – paragraph 4 – point 1

Regulation (EC) No 1829/2003

Article 3 – paragraph 2

Text proposed by the Commission

“2. The Commission *may decide, by means of implementing acts*, whether a type of food falls within the scope of this Section. *Those implementing acts shall be adopted in accordance with the procedure referred to in Article 35(2).*”

Amendment

“2. The Commission *is empowered to adopt delegated acts in accordance with Article 34a to supplement this Regulation by determining* whether a type of food falls within the scope of this Section.”

Amendment 378

Proposal for a regulation

Annex I – Part XII – point 147 – paragraph 4 – point 2

Regulation (EC) No 1829/2003

Article 12 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts, in accordance with Article 34a, establishing appropriate lower thresholds, in particular in respect of foods containing or consisting of GMOs, or taking account of advances in science and technology.”

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 34a *to supplement this Regulation by* establishing appropriate lower thresholds, in particular in respect of foods containing or consisting of GMOs, or taking account of advances in science and technology.”

Amendment 379

Proposal for a regulation

Annex I – Part XII – point 147 – paragraph 4 – point 3

Regulation (EC) No 1829/2003

Article 14

Text proposed by the Commission

“Article 14

Delegated and implementing powers

1. The Commission is empowered to adopt delegated acts, in accordance with Article 34a, **adopting** specific rules concerning the information to be given by mass caterers providing food to the final consumer. In order to take account of the specific situation of mass caterers, such rules may provide for adaptation of the requirements set out in Article 13(1)(e).

2. The Commission may adopt, by means of implementing acts:

(a) measures necessary for operators to satisfy the competent authorities as referred to in Article 12(3);

(b) measures necessary for operators to

Amendment

“Article 14

Delegated and implementing powers

1. The Commission is empowered to adopt delegated acts in accordance with Article 34a, **to supplement this Regulation by establishing:**

(a) measures necessary for operators to satisfy the competent authorities as referred to in Article 12(3);

(b) measures necessary for operators to comply with the labelling requirements set out in Article 13; and

(c) specific rules concerning the information to be given by mass caterers providing food to the final consumer. In order to take account of the specific situation of mass caterers, such rules may provide for adaptation of the requirements set out in Article 13(1)(e).

2. The Commission may adopt **detailed rules to facilitate the uniform application of Article 13** by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 35(2).”

comply with the labelling requirements set out in Article 13;

(c) detailed rules to facilitate the uniform application of Article 13.

Those implementing acts shall be adopted in accordance with the procedure referred to in Article 35(2).”

Amendment 380

Proposal for a regulation

Annex I – Part XII – point 147 – paragraph 4 – point 4

Regulation (EC) No 1829/2003

Article 15 – paragraph 2

Text proposed by the Commission

“2. The Commission *may decide, by means of implementing acts*, whether a type of feed falls within the scope of this Section. *Those implementing acts shall be adopted in accordance with the procedure referred to in Article 35(2).*”

Amendment

“2. The Commission *is empowered to adopt delegated acts in accordance with Article 34a to supplement this Regulation by determining* whether a type of feed falls within the scope of this Section.”

Amendment 381

Proposal for a regulation

Annex I – Part XII – point 147 – paragraph 4 – point 5

Regulation (EC) No 1829/2003

Article 24 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts, in accordance with Article 34a, establishing appropriate lower

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 34a *to supplement this Regulation*

thresholds, in particular in respect of feed containing or consisting of GMOs, or taking account of advances in science and technology.”

by establishing appropriate lower thresholds, in particular in respect of feed containing or consisting of GMOs, or taking account of advances in science and technology.”

Amendment 382

Proposal for a regulation

Annex I – Part XII – point 147 – paragraph 4 – point 6

Regulation (EC) No 1829/2003

Article 26

Text proposed by the Commission

“Article 26

Implementing powers

The Commission *may adopt, by means of implementing acts:*

(a) measures necessary for operators to satisfy the competent authorities as referred to in Article 24(3);

(b) measures necessary for operators to comply with the labelling requirements set out in Article 25;

(c) detailed rules to facilitate the uniform application of Article 25.

Those implementing acts shall be adopted in accordance with the procedure referred to in Article 35(2).”

Amendment

“Article 26

Delegated and implementing powers

1. The Commission is empowered to adopt delegated acts in accordance with Article 34a to supplement this Regulation by establishing:

(a) measures necessary for operators to satisfy the competent authorities as referred to in Article 24(3);

(b) measures necessary for operators to comply with the labelling requirements set out in Article 25.

2. The Commission may adopt detailed rules to facilitate the uniform application of Article 25 by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 35(2).”

Amendment 383

Proposal for a regulation

Annex I – Part XII – point 147 – paragraph 4 – point 8

Regulation (EC) No 1829/2003

Article 34a

Text proposed by the Commission

“Article 34a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 12(4), Article 14(1a), Article 24(4) and Article 32, *sixth paragraph*, shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

3. The *delegations* of power referred to in Article 12(4), Article 14(1a), Article 24(4) and Article 32, *sixth paragraph*, may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts

Amendment

“Article 34a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in *Article 3(2)*, Article 12(4), Article 14(1), *Article 15(2)*, Article 24(4), *Article 26(1)* and *in the sixth paragraph of* Article 32 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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.*

3. The *delegation* of power referred to in *Article 3(2)*, Article 12(4), Article 14(1), *Article 15(2)*, Article 24(4), *Article 26(1)* and *in the sixth paragraph of* Article 32 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts

designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016**.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 12(4), Article 14(1a), Article 24(4) *or* Article 32, *sixth paragraph*, shall enter into force only if no objection has been expressed either by the European Parliament or *by* the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p.1.”

designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making *.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to *Article 3(2)*, Article 12(4), Article 14(*1*), *Article 15(2)*, Article 24(4), *Article 26(1) and in the sixth paragraph of* Article 32 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p. 1.”

Amendment 384

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 1

Text proposed by the Commission

In order to achieve the objectives of Regulation (EC) No 2160/2003, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I, II and III to that Regulation and to supplement that Regulation as regards the Union targets for the reduction of the prevalence of zoonoses and zoonotic agents, specific control methods, specific rules on criteria relating to imports from third countries, the responsibilities and

Amendment

In order to achieve the objectives of Regulation (EC) No 2160/2003, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I, II and III to that Regulation and to supplement that Regulation as regards the Union targets for the reduction of the prevalence of zoonoses and zoonotic agents, specific control methods, specific rules on criteria relating to imports from third countries, the responsibilities and

tasks of the Union reference laboratories and certain responsibilities and tasks of the national reference laboratories. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016*. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

tasks of the Union reference laboratories, *approval of methods for testing*, and *as regards* certain responsibilities and tasks of the national reference laboratories. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment 385

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 2

Text proposed by the Commission

In order to ensure uniform conditions for the implementation of Regulation (EC) 2160/2003, implementing powers should be conferred on the Commission concerning approving methods for testing. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Amendment

deleted

Amendment 386

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 3 – point 1 – point a

Regulation (EC) No 2160/2003

Article 4 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission is empowered to adopt delegated acts in accordance with Article 13a concerning the Union targets for the reduction of the prevalence of zoonoses and zoonotic agents listed in Annex I, column 1, in the animal populations listed in Annex I, column 2, taking account, in particular, of:

Amendment

1. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation as regards** the Union targets for the reduction of the prevalence of zoonoses and zoonotic agents listed in Annex I, column 1, in the animal populations listed in Annex I, column 2, taking account, in particular, of:

Amendment 387

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 3 – point 3

Regulation (EC) No 2160/2003

Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission is empowered to adopt delegated acts in accordance **with** Article 13a **concerning**:

Amendment

1. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation as regards**:

Amendment 388

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 3 – point 4

Regulation (EC) No 2160/2003

Article 9 – paragraph 4

Text proposed by the Commission

“4. Without prejudice to Article 5(6), the Commission is empowered to adopt delegated acts in accordance with Article 13a, establishing the rules concerning the setting by Member States of the criteria referred to in Article 5(5) and in paragraph 2 of this Article.”

Amendment

“4. Without prejudice to Article 5(6), the Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation by** establishing the rules concerning the setting by Member States of the criteria referred to in Article 5(5) and in paragraph 2 of this Article.”

Amendment 389

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 3 – point 5

Regulation (EC) No 2160/2003

Article 10 – paragraph 5 – sentences 2 and 3

Text proposed by the Commission

“The authorisation may be withdrawn in accordance with the same procedure. **and**, without prejudice to Article 5(6), the Commission is empowered to adopt delegated acts in accordance with Article 13a establishing specific rules concerning such criteria.”

Amendment

“The authorisation may be withdrawn in accordance with the same procedure. Without prejudice to Article 5(6), the Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation by** establishing specific rules concerning such criteria.”

Amendment 390

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 3 – point 6 – point a

Regulation (EC) No 2160/2003

Article 11 – paragraph 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 13a **laying** down the responsibilities and tasks of the Union reference laboratories, in particular with regard to coordination of their activities and those of the national reference laboratories.”

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation by** laying down the responsibilities and tasks of the Union reference laboratories, in particular with regard to coordination of their activities and those of the national reference laboratories.”

Amendment 391

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 3 – point 6 – point b

Regulation (EC) No 2160/2003

Article 11 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts in accordance with Article 13a laying down certain responsibilities and tasks of the national reference laboratories, in particular with regard to coordination of their activities and those of the relevant laboratories in the Member States designated under Article 12(1)(a).”

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation by** laying down certain responsibilities and tasks of the national reference laboratories, in particular with regard to coordination of their activities and those of the relevant laboratories in the Member States designated under Article 12(1)(a).”

Amendment 392

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 3 – point 7

Regulation (EC) No 2160/2003

Article 12 – paragraph 3 – subparagraph 3

Text proposed by the Commission

Amendment

“3. The Commission *may approve, by means of implementing acts*, other methods for testing referred in paragraph 3. *Those implementing acts shall be adopted in accordance with the procedure referred to in Article 14(2).*”

“The Commission *is empowered to adopt delegated acts in accordance with Article 13a to supplement this Regulation by approving* other methods for testing *than those* referred in *the first and second subparagraph of this paragraph.*”

Amendment 393

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 3 – point 7 a (new)

Regulation (EC) No 2160/2003

Article 13 – title

Present text

Amendment

Implementing and transitional measures

(7a) in Article 13 the title is replaced by the following:

Delegated and implementing powers

Amendment 394

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 3 – point 8

Regulation (EC) No 2160/2003

Article 13 – paragraph 1

Text proposed by the Commission

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 13a amending elements concerning the

The Commission is empowered to adopt delegated acts in accordance with Article 13a *to supplement this Regulation by* amending elements concerning the relevant

relevant health certificates.”

health certificates.

Amendment 395

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 3 – point 8 a (new)

Regulation (EC) No 2160/2003

Article 13 – paragraph 2

Present text

Other implementing or transitional measures may be adopted in accordance with the regulatory procedure referred to in Article 14(2).

Amendment

(8a) in Article 13, paragraph 2 is replaced by the following:

”In addition, implementing measures may be adopted in accordance with the regulatory procedure referred to in Article 14(2).”

Amendment 396

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 3 – point 9

Regulation (EC) No 2160/2003

Article 13a

Text proposed by the Commission

“Article 13a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 3(1), (6), and (7), Article 5(6), Article 8(1), Article 9(4), Article 10(5), Article 11(2) and (4) and

Amendment

“Article 13a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 3(1), (6), and (7), Article 5(6), Article 8(1), Article 9(4), Article 10(5), Article 11(2) and (4), ***the***

Article 13 shall be conferred for *an indeterminate* period of time from [date of entry into force of this *Omnibus*].

3. The delegation of powers referred to in Article 3(1), (6), and (7), Article 5(6), Article 8(1), Article 9(4), Article 10(5), 11(2) and (4) and Article 13 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adapting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better-Law-making *of 13 April 2016**.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 3(1), (6), and (7), Article 5(6), Article 8(1), Article 9(4), Article 10(5), Article 11(2) and (4) and Article 13 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the

third subparagraph of Article 12(3) and Article 13 shall be conferred *on the Commission* for a period of *five years* from ... [date of entry into force of this *amending 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.*

3. The delegation of powers referred to in Article 3(1), (6), and (7), Article 5(6), Article 8(1), Article 9(4), Article 10(5), 11(2) and (4), *the third subparagraph of Article 12(3)* and Article 13 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adapting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better-Law-making*.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 3(1), (6), and (7), Article 5(6), Article 8(1), Article 9(4), Article 10(5), Article 11(2) and (4), *the third subparagraph of Article 12(3)* and Article 13 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the

European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

* OJ L 123, 12.5.2016, p.1."

Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or *of* the Council.

* OJ L 123, 12.5.2016, p.1."

Amendment 397

Proposal for a regulation

Annex I – Part XII – point 152 – paragraph 1

Text proposed by the Commission

In order to achieve the objectives of Directive 2004/23/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to supplement that Directive with traceability requirements for tissues and cells, as well as for products and materials coming into contact with those tissues and cells and having an effect on their quality, *and* to supplement that Directive with certain technical requirements. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016*. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment

In order to achieve the objectives of Directive 2004/23/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to supplement that Directive *by establishing* traceability requirements for tissues and cells, as well as for products and materials coming into contact with those tissues and cells and having an effect on their quality, *and by establishing procedures for ensuring traceability and for verifying the equivalent standards of quality and safety of imported tissues and cells*, and to supplement that Directive with *respect to* certain technical requirements. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of

Commission expert groups dealing with the preparation of delegated acts.

Amendment 398

Proposal for a regulation

Annex I – Part XII – point 152 – paragraph 2

Text proposed by the Commission

Amendment

In order to ensure uniform conditions for the implementation of Directive 2004/23/EC implementing powers should be conferred on the Commission to establish procedures for ensuring traceability and for verifying the equivalent standards of quality and safety of imported tissues and cells. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

deleted

Amendment 399

Proposal for a regulation

Annex I – Part XII – point 152 – paragraph 3 – point 1

Directive 2004/23/EC

Article 8 – paragraph 5

Text proposed by the Commission

Amendment

5. The Commission is empowered to adopt delegated acts in accordance with Article 28a to establish traceability requirements for tissues and cells, **as well as** for products and materials coming into contact with those tissues and cells and having an effect on their quality and safety.

5. The Commission is empowered to adopt delegated acts in accordance with Article 28a **to supplement this Directive, by establishing** traceability requirements for tissues and cells, for products and materials coming into contact with those tissues and cells and having an effect on their quality and safety, **as well as by establishing the procedures for ensuring traceability at Union level.**

Amendment 400

Proposal for a regulation

Annex I – Part XII – point 152 – paragraph 3 – point 1

Directive 2004/23/EC

Article 8 – paragraph 6

Text proposed by the Commission

Amendment

6. *The Commission shall establish the procedures for ensuring traceability at Union level by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 29(2).* **deleted**

Amendment 401

Proposal for a regulation

Annex I – Part XII – point 152 – paragraph 3 – point 2

Directive 2004/23/EC

Article 9 – paragraph 4

Text proposed by the Commission

Amendment

“4. The Commission **shall establish** the procedures for verifying the equivalent standards of quality and safety in accordance with paragraph 1 **by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 29(2).**”

“4. The Commission **is empowered to adopt delegated acts in accordance with Article 28a to supplement this Directive by establishing** the procedures for verifying the equivalent standards of quality and safety in accordance with paragraph 1.”

Amendment 402

Proposal for a regulation

Annex I – Part XII – point 152 – paragraph 3 – point 3

Directive 2004/23/EC

Article 28 – paragraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 28a with respect to the technical requirements referred to in points (a) to (i) of the first paragraph.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 28a **to supplement this Directive** with respect to the technical requirements referred to in points (a) to (i) of the first paragraph.

Amendment 403

Proposal for a regulation

Annex I – Part XII – point 152 – paragraph 3 – point 4

Directive 2004/23/EC

Article 28a

Text proposed by the Commission

“Article 28a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The delegation of power referred to in Article 8(5) and in the second paragraph of Article 28 shall be conferred for an **indeterminate period of time** from the [date of entry into force of this **omnibus**].

Amendment

“Article 28a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The delegation of power referred to in Article 8(5), **Article 9(4)**, and in the second paragraph of Article 28 shall be conferred **on the Commission** for a period **of five years** from the ... [date of entry into force of this **amending 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.

3. The delegation of power referred to in Article 8(5) and in the second paragraph of Article 28 may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making ***of 13 April 2016****.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 8(5) and in the second paragraph of Article 28 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

* OJ L 123, 12.5.2016, p.1."

3. The delegation of power referred to in Article 8(5), ***Article 9(4)***, and in the second paragraph of Article 28 may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement ***of 13 April 2016*** on Better Law-Making *.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 8(5), ***Article 9(4)***, and in the second paragraph of Article 28 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or ***of*** the Council.

* OJ L 123, 12.5.2016, p.1."

Amendment 404

Proposal for a regulation

Annex I – Part XII – point 153 – paragraph 2 – point 1

Regulation (EC) No 852/2004

Article 4 – paragraph 4 – introductory part

Text proposed by the Commission

4. The Commission is empowered to adopt delegated acts in accordance with Article 13a **adopting** the specific hygiene measures referred to in paragraph 3, in particular concerning:

Amendment

4. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation by laying down** the specific hygiene measures referred to in paragraph 3, in particular concerning:

Amendment 405

Proposal for a regulation

Annex I – Part XII – point 153 – paragraph 2 – point 2

Regulation (EC) No 852/2004

Article 6 – paragraph 3 – point c

Text proposed by the Commission

“(c) by a delegated act that the Commission is empowered to adopt in accordance with Article 13a.”

Amendment

“(c) by a delegated act that the Commission is empowered to adopt in accordance with Article 13a **and that supplements this Regulation.**”

Amendment 406

Proposal for a regulation

Annex I – Part XII – point 153 – paragraph 2 – point 3

Regulation (EC) No 852/2004

Article 12 – paragraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 13a **concerning** specific provisions for the application of the requirements of this Regulation to specific foodstuffs in order to address specific risks or emerging hazards in relation to public health.;

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation by laying down** specific provisions for the application of the requirements of this Regulation to specific foodstuffs in order to address specific risks or emerging hazards in relation to public health.

Amendment 407

Proposal for a regulation

Annex I – Part XII – point 153 – paragraph 2 – point 4

Regulation (EC) No 852/2004

Article 13 – paragraph 2

Text proposed by the Commission

2. The Commission is empowered to adopt delegated acts in accordance with Article 13a granting derogations from **Annexes I and II**, taking into account the relevant risk factors and provided that such derogations do not affect the achievement of the **following** objectives of this Regulation:

(a) to facilitate the implementation of Article 5 for small businesses;

(b) to establishments producing, handling or processing raw material which is intended for the production of highly refined food products which have undergone a treatment ensuring its safety.

Amendment

2. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation by** granting derogations from **Annex I and II, in particular to facilitate the implementation of Article 5 for small businesses**, taking into account the relevant risk factors and provided that such derogations do not affect the achievement of the objectives of this Regulation.

Amendment 408

Proposal for a regulation
Annex I – Part XII – point 153 – paragraph 2 – point 5
Regulation (EC) No 852/2004

Article 13a

Text proposed by the Commission

“Article 13a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 4(4), Article 6(3)(c), Article 12 and Article 13(1) and (2) shall be conferred for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

3. The delegation of powers referred to in Article 4(4), Article 6(3)(c), Article 12 and Article 13(1) and (2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adapting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in

Amendment

“Article 13a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 4(4), Article 6(3)(c), Article 12 and Article 13(1) and (2) shall be conferred ***on the Commission*** for a period of ***five years*** from ... [date of entry into force of this ***amending 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.***

3. The delegation of powers referred to in Article 4(4), Article 6(3)(c), Article 12 and Article 13(1) and (2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adapting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in

the Interinstitutional Agreement on Better-Law-making *of 13 April 2016**.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 4(4), Article 6(3)(c), Article 12 and Article 13(1) and (2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

* OJ L 123, 12.5.2016, p.1.”

the Interinstitutional Agreement *of 13 April 2016* on Better-Law-making*.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 4(4), Article 6(3)(c), Article 12 and Article 13(1) and (2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or *of* the Council.

* OJ L 123, 12.5.2016, p.1.”

(The reference in the header relating to the annex (“Annex I – Part XII – point 153 – paragraph 2 – point 5”) corresponds to “Annex I – Part XII – point 153 – paragraph 2 – point 6” of the Commission’s proposal. This discrepancy is caused by the incorrect numbering (Annex I, Part XII, point 153, paragraph 2, point 5 is missing) in the Commission’s proposal.)

Amendment 409

Proposal for a regulation

Annex I – Part XII – point 155 – paragraph 2 – point 2

Regulation (EC) No 854/2004

Article 17 – paragraph 2

Text proposed by the Commission

2. The Commission is empowered to adopt delegated acts in accordance with Article 18a granting derogations from Annexes I, II, III, IV, V and VI *them*, taking into account the relevant risk

Amendment

2. The Commission is empowered to adopt delegated acts in accordance with Article 18a *to supplement this Regulation by* granting derogations from Annexes I, II, III, IV, V and VI, taking into account the

factors, provided that such derogations do not affect the achievement of the **following** objectives of this Regulation:

- (i) **to** facilitate the implementation of the requirements laid down in the Annexes in small businesses;
- (ii) **to** enable the continued use of traditional methods at any of the stages of production, processing or distribution of food;
- (iii) **to** accommodate the needs of food businesses situated in regions that are subject to special geographic constraints.

relevant risk factors, provided that such derogations do not affect the achievement of the objectives of this Regulation, **in order to:**

- (i) facilitate the implementation of the requirements laid down in the Annexes in small businesses;
- (ii) enable the continued use of traditional methods at any of the stages of production, processing or distribution of food;
- (iii) accommodate the needs of food businesses situated in regions that are subject to special geographic constraints.

Amendment 410

Proposal for a regulation

Annex I – Part XII – point 155 – paragraph 2 – point 3 – point a

Regulation (EC) No 854/2004

Article 18 – paragraph 1 – introductory part

Text proposed by the Commission

“Without prejudice to the general application of **Article 16** and Article 17(1), the Commission **may** lay down the following measures **by means of implementing acts**. **Those implementing acts shall be adopted in accordance with the procedure referred to in Article 12(2)**.”;

Amendment

“Without prejudice to the general application of Article 17(1), the Commission **is empowered to adopt delegated acts in accordance with Article 18a to supplement this Regulation by laying** down the following measures:”

Amendment 411

Proposal for a regulation

Annex I – Part XII – point 155 – paragraph 2 – point 4

Article 18a

Text proposed by the Commission

“Article 18a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 17(1) and (2) shall be conferred **for an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

3. The delegation of powers referred to in Article 17(1) and (2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before **adapting** a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better-Law-making **of 13 April 2016***.

5. As soon as it adopts a delegated act,

Amendment

“Article 18a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 17(1) and (2) **and in Article 18** shall be conferred **on the Commission for a period of five years** from ... [date of entry into force of this **amending 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.**

3. The delegation of powers referred to in Article 17(1) and (2) **and in Article 18** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before **adopting** a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement **of 13 April 2016** on Better-Law-making *.

5. As soon as it adopts a delegated act,

the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant Article 17(1) and (2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

* OJ L 123, 12.5.2016, p.1.”

the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant Article 17(1) and (2) **and Article 18** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or **of** the Council.

* OJ L 123, 12.5.2016, p.1.”

Amendment 412

Proposal for a regulation

Annex I – Part XII – point 157 – paragraph 3 – point 1

Regulation (EC) No 1901/2006

Article 20 – paragraph 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 50a defining further the grounds for granting a deferral, on the basis of the experience acquired as a result of the operation of paragraph 1.”

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 50a **to supplement this Regulation by** defining further the grounds for granting a deferral, on the basis of the experience acquired as a result of the operation of paragraph 1.”

Amendment 413

Proposal for a regulation

Annex I – Part XII – point 157 – paragraph 3 – point 2

Regulation (EC) No 1901/2006

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 50a laying down:

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 50a **to supplement this Regulation by** laying down:

Amendment 414

Proposal for a regulation

**Annex I – Part XII – point 157 – paragraph 3 – point 4
Regulation (EC) No 1901/2006**

Article 50a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 20(2) and Article 49(3) shall be conferred **to** the Commission for **an indeterminate** period from [date of entry into force of this **omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 20(2) and Article 49(3) shall be conferred **on** the Commission for **a period of five years** from ... [date of entry into force of this **amending 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 415

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 1 – indent 5 a (new)

Text proposed by the Commission

Amendment

- *the adoption of the Union list of permitted health claims other than those referring to the reduction of disease risk and to children's development and health, and their conditions of use, any changes or any additions to that list, and final decisions on applications for authorisations of claims.*

Amendment 416

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 3

Text proposed by the Commission

Amendment

In order to ensure uniform conditions for the implementation of Regulation (EC) No 1924/2006, implementing powers should be conferred on the Commission as regards the adoption of the Union list of permitted health claims other than those referring to the reduction of disease risk and to children's development and health and their conditions of use, any changes or any additions to that list, and as regards final decisions on applications for authorisations of claims. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

deleted

Amendment 417

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 1 – point a

Regulation (EC) No 1924/2006

Article 1 – paragraph 2 – subparagraph 2

Text proposed by the Commission

In the case of non-prepackaged foodstuffs (including fresh products such as fruit, vegetables or bread) put up for sale to the final consumer or to mass caterers and foodstuffs packed at the point of sale at the request of the purchaser or pre-packaged with a view to immediate sale, Article 7 and Article 10(2)(a) and (b) shall not apply. The Commission is empowered to adopt delegated acts in accordance with Article 24a concerning the labelling information for those non-prepackaged foodstuffs. National provisions may apply until the eventual adoption of those delegated acts.

Amendment

In the case of non-prepackaged foodstuffs (including fresh products such as fruit, vegetables or bread) put up for sale to the final consumer or to mass caterers and foodstuffs packed at the point of sale at the request of the purchaser or pre-packaged with a view to immediate sale, Article 7 and Article 10(2)(a) and (b) shall not apply. The Commission is empowered to adopt delegated acts in accordance with Article 24a **to supplement this Regulation** concerning the labelling information for those non-prepackaged foodstuffs. National provisions may apply until the eventual adoption of those delegated acts.

Amendment 418

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 1 – point b

Regulation (EC) No 1924/2006

Article 1 – paragraph 4

Text proposed by the Commission

“4. For generic descriptors (denominations) which have traditionally been used to indicate a particularity of a class of foods or beverages which could imply an effect on human health, food business operators concerned may apply for a derogation from paragraph 3. The application shall be sent to the national competent authority of a Member State which will forward it to the Commission without delay. The Commission shall adopt and make public the rules for food business operators according to which such applications shall be made, so as to ensure that the application is dealt with

Amendment

“4. For generic descriptors (denominations) which have traditionally been used to indicate a particularity of a class of foods or beverages which could imply an effect on human health, food business operators concerned may apply for a derogation from paragraph 3. The application shall be sent to the national competent authority of a Member State which will forward it to the Commission without delay. The Commission shall adopt and make public the rules for food business operators according to which such applications shall be made, so as to ensure that the application is dealt with

transparently and within a reasonable time. The Commission is empowered to adopt delegated acts in accordance with Article 24a concerning derogations from paragraph 3.”

transparently and within a reasonable time. The Commission is empowered to adopt delegated acts in accordance with Article 24a **to supplement this Regulation** concerning derogations from paragraph 3.”

Amendment 419

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 2 – point b

Regulation (EC) No 1924/2006

Article 3 – paragraph 2 a

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 24a derogating from point (d) of the second **subparagraph** of this Article in the case of nutrients for which sufficient quantities cannot be provided by a balanced and varied diet; the delegated acts shall include conditions for the application of the derogations, taking into account the special conditions present in Member States.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 24a **to supplement this Regulation by granting derogations** from point (d) of the second **paragraph** of this Article in the case of nutrients for which sufficient quantities cannot be provided by a balanced and varied diet; the delegated acts shall include conditions for the application of the derogations, taking into account the special conditions present in Member States.

Amendment 420

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 3 – point a – point i

Regulation (EC) No 1924/2006

Article 4 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

“1. The Commission is empowered to adopt delegated acts in accordance with Article 24a by 19 January 2009 establishing specific nutrient profiles, including exemptions, which food or certain categories of food must comply with in order to bear nutrition or health claims and the conditions for the use of nutrition or health claims for foods or categories of foods with respect to the nutrient profiles.”

“The Commission is empowered to adopt delegated acts in accordance with Article 24a by 19 January 2009 *to supplement this Regulation by* establishing specific nutrient profiles, including exemptions, which food or certain categories of food must comply with in order to bear nutrition or health claims and the conditions for the use of nutrition or health claims for foods or categories of foods with respect to the nutrient profiles.”

Amendment 421

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 3 – point a – point ii

Regulation (EC) No 1924/2006

Article 4 – paragraph 1 – subparagraph 6

Text proposed by the Commission

"The Commission is empowered to adopt delegated acts in accordance with Article 24a concerning the update of nutrient profiles and their conditions of use to take into account relevant scientific developments. To this purpose, interested parties, in particular food business operators and consumer groups shall be consulted."

Amendment

"The Commission is empowered to adopt delegated acts in accordance with Article 24a *to supplement this Regulation* concerning the update of nutrient profiles and their conditions of use to take into account relevant scientific developments. To this purpose, interested parties, in particular food business operators and consumer groups shall be consulted."

Amendment 422

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 3 – point b

Regulation (EC) No 1924/2006

Article 4 – paragraph 5

Text proposed by the Commission

“5. The Commission is empowered to adopt delegated acts in accordance with Article 24a concerning measures determining the foods or categories of foods other than those referred to in paragraph 3 of this Article for which nutrition or health claims are to be restricted or prohibited in the light of scientific evidence.”

Amendment

“5. The Commission is empowered to adopt delegated acts in accordance with Article 24a **to supplement this Regulation** concerning measures determining the foods or categories of foods other than those referred to in paragraph 3 of this Article for which nutrition or health claims are to be restricted or prohibited in the light of scientific evidence.”

Amendment 423

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 5

Regulation (EC) No 1924/2006

Article 13 – paragraph 3

Text proposed by the Commission

3. The Commission shall, **after consulting the Authority**, adopt a Union list of permitted claims as referred to in paragraph 1 and all necessary conditions for the use of those claims by 31 January 2010 at the latest **by means of implementing act. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 25(2).**

Amendment

3. **After consulting the Authority**, the Commission **shall adopt delegated acts in accordance with Article 24a to supplement this Regulation by establishing** a Union list of permitted claims as referred to in paragraph 1 and all necessary conditions for the use of those claims by 31 January 2010 at the latest .

Amendment 424

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 5

Regulation (EC) No 1924/2006

Article 13 – paragraph 4

Text proposed by the Commission

4. The Commission shall, *after consulting the Authority*, on the *Commission's* own initiative or following a request by a Member State adopt any changes to the list referred to in paragraph 3, based on generally accepted scientific evidence *by means of implementing act. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 25(2).*

Amendment

4. *After consulting the Authority*, the Commission shall *adopt delegated acts in accordance with Article 24a*, on *its* own initiative or following a request by a Member State, *to supplement this Regulation by adopting* any changes to the list referred to in paragraph 3, based on generally accepted scientific evidence.

Amendment 425

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 6 – point a

Regulation (EC) No 1924/2006

Article 17 – paragraph 3 – subparagraph 1

Text proposed by the Commission

“The Commission *shall* adopt a final decision on the application by means of *implementing act. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 25(2).*”

Amendment

“The Commission *is empowered to* adopt *delegated acts in accordance with Article 24a to supplement this Regulation as regards its* final decision on the application.”

Amendment 426

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 6 – point b

Regulation (EC) No 1924/2006

Article 17 – paragraph 3 – subparagraph 2 – point b

Text proposed by the Commission

“(b) before the expiry of the five-year period, if the claim still meets the conditions laid down in this Regulation, the Commission *shall* adopt measures for authorisation of the claim without restriction for use by means of *implementing act. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 25(2).*”

Amendment

“(b) before the expiry of the five-year period, if the claim still meets the conditions laid down in this Regulation, the Commission *is empowered to* adopt *delegated acts in accordance with Article 24a to supplement this Regulation by adopting* measures for authorisation of the claim without restriction for use.”

Amendment 427

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 7 – point a

Regulation (EC) No 1924/2006

Article 18 – paragraph 5 – subparagraph 1

Text proposed by the Commission

“*Where the Authority issues an opinion that does not support the inclusion of the claim in the list referred to in paragraph 4, the Commission shall adopt a decision on the application by means of implementing act. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 25(2).*”

Amendment

“*The Commission is empowered to adopt delegated acts in accordance with Article 24a to supplement this Regulation as regards its decision on the application, where the Authority issues an opinion that does not support the inclusion of the claim in the list referred to in paragraph 4.*”

Amendment 428

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 7 – point b

Article 18 – paragraph 5 – subparagraph 2 – point b

Text proposed by the Commission

“(b) before the expiry of the five-year period, if the claim still meets the conditions laid down in this Regulation, the Commission shall adopt measures for authorisation of the claim without restriction of use *by means of implementing act. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 25(2).*”

Amendment

“(b) before the expiry of the five-year period, if the claim still meets the conditions laid down in this Regulation, the Commission *shall adopt delegated acts in accordance with Article 24a to supplement this Regulation as regards authorisation of the claim without restriction of use.*”

Amendment 429

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 8

Article 24a

Text proposed by the Commission

"Article 24a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 1(2) and (4), Article 3, Article 4(1) and (5) *and* Article 8(2) shall be conferred on the Commission for an indeterminate period of *time* from [date of entry into force of this *Omnibus*].

Amendment

"Article 24a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 1(2) and (4), Article 3, Article 4(1) and (5), Article 8(2), *Article 13(3) and (4), Article 17(3) and (4), Article 18(5), and point (a) of Article 28(6)* shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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.

3. The delegation of power referred to in Article 1(2) and (4), Article 3, Article 4(1) and (5) **and** Article 8(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016**.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 1(2) and (4), Article 3, Article 4(1) and (5) **and** Article 8(2) shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or

3. The delegation of power referred to in Article 1(2) and (4), Article 3, Article 4(1) and (5), Article 8(2), **Article 13(3) and (4), Article 17(3) and (4), Article 18(5) and point (a) of Article 28(6)** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making*.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 1(2) and (4), Article 3, Article 4(1) and (5), Article 8(2), **Article 13(3) and (4), Article 17(3) and (4), Article 18(5) and point (a) of Article 28(6)** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of

of the Council.

the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p. 1."

* OJ L 123, 12.5.2016, p. 1."

Amendment 430

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 10 – point b

Regulation (EC) No 1924/2006

Article 28 – paragraph 6 – point a – point ii

Text proposed by the Commission

“(ii) after consulting the Authority, the Commission shall, **by means of implementing act**, adopt **a decision** concerning the health claims authorised in this way. Those implementing acts shall be adopted in accordance with **the procedure referred to in Article 25(2)**.”

Amendment

“(ii) after consulting the Authority, the Commission shall adopt **delegated acts in accordance with Article 24a to supplement this Regulation** by laying down the health claims authorised in this way.”

Amendment 431

Proposal for a regulation

Annex I – Part XII – point 159 – paragraph 1

Text proposed by the Commission

In order to achieve the objectives of Regulation (EC) No 1925/2006, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I and II to that Regulation to adapt it to technical and scientific progress and to amend Annex III to that Regulation to allow the use of vitamins, minerals and of certain other substances prohibited, restricted or under Union scrutiny **and** to supplement

Amendment

In order to achieve the objectives of Regulation (EC) No 1925/2006, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I and II to that Regulation to adapt it to technical and scientific progress and to amend Annex III to that Regulation to allow the use of vitamins, minerals and of certain other substances prohibited, restricted or under Union scrutiny, to supplement that

that Regulation by determining the additional foods or categories of foods to which vitamins and minerals may not be added, by determining the purity criteria for vitamin formulations and mineral substances and by determining the minimum amount by derogation from the significant amount for the presence of a vitamin or mineral in the food. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016*. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Regulation by determining the additional foods or categories of foods to which vitamins and minerals may not be added, by determining the purity criteria for vitamin formulations and mineral substances and by determining the minimum amount by derogation from the significant amount for the presence of a vitamin or mineral in the food, *as well as by setting the maximum amounts for the vitamins or minerals added to food and by defining the conditions restricting or prohibiting the addition of a specific vitamin or mineral.* It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment 432

Proposal for a regulation

Annex I – Part XII – point 159 – paragraph 2

Text proposed by the Commission

In order to ensure uniform conditions for the implementation of Regulation (EC) No 1925/2006, implementing powers should be conferred on the Commission as regards the amounts of the vitamins or minerals added to food and as regards the conditions restricting or prohibiting the addition of a specific vitamin or mineral. Those powers should be exercised in accordance with Regulation (EU) No

Amendment

deleted

Amendment 433

Proposal for a regulation

Annex I – Part XII – point 159 – paragraph 3 – point 2

Regulation (EC) No 1925/2006

Article 4 – paragraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 13a concerning measures determining the additional foods or categories of foods to which vitamins and minerals may not be added in the light of scientific evidence and taking into account their nutritional value.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation** concerning measures determining the additional foods or categories of foods to which vitamins and minerals may not be added in the light of scientific evidence and taking into account their nutritional value.”

Amendment 434

Proposal for a regulation

Annex I – Part XII – point 159 – paragraph 3 – point 3

Regulation (EC) No 1925/2006

Article 5 – paragraph 1

Text proposed by the Commission

“1. The Commission is empowered to adopt delegated acts in accordance with Article 13a concerning measures determining the purity criteria for vitamin formulations and mineral substances listed in Annex II, except where purity criteria apply pursuant to paragraph 2 of this Article.”

Amendment

“1. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation** concerning measures determining the purity criteria for vitamin formulations and mineral substances listed in Annex II, except where purity criteria apply pursuant to paragraph 2 of this Article.”

Amendment 435

Proposal for a regulation

Annex I – Part XII – point 159 – paragraph 3 – point 4 – point a

Regulation (EC) No 1925/2006

Article 6 – paragraph 1

Text proposed by the Commission

1. When a vitamin or a mineral is added to foods, the total amount of the vitamin or mineral present, for whatever purpose, in the food as sold shall not exceed maximum amounts. The Commission shall *set* those amounts *by means of implementing act*. *Those implementing acts shall be adopted in accordance with the procedure referred to in Article 14(2)*. The Commission may, to this end submit a draft of measures for the maximum amounts by 19 January 2009. For concentrated and dehydrated products, the maximum amounts set shall be those present in the foods when prepared for consumption according to the manufacturer's instructions.

Amendment

1. When a vitamin or a mineral is added to foods, the total amount of the vitamin or mineral present, for whatever purpose, in the food as sold shall not exceed maximum amounts. The Commission shall *adopt delegated acts in accordance with Article 13a to supplement this Regulation concerning those maximum* amounts. The Commission may, to this end submit a draft of measures for the maximum amounts by 19 January 2009. For concentrated and dehydrated products, the maximum amounts set shall be those present in the foods when prepared for consumption according to the manufacturer's instructions.

Amendment 436

Proposal for a regulation

Annex I – Part XII – point 159 – paragraph 3 – point 4 – point a

Regulation (EC) No 1925/2006

Article 6 – paragraph 2

Text proposed by the Commission

2. The Commission shall *define* any conditions restricting or prohibiting the

Amendment

2. The Commission shall *adopt delegated acts in accordance with Article*

addition of a specific vitamin or mineral to a food or a category of foods **by means of implementing act. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 14(2).**

13a to supplement this Regulation concerning the definition of any conditions restricting or prohibiting the addition of a specific vitamin or mineral to a food or a category of foods.

Amendment 437

Proposal for a regulation

Annex I – Part XII – point 159 – paragraph 3 – point 4 – point b

Regulation (EC) No 1925/2006

Article 6 – paragraph 6

Text proposed by the Commission

“6. The addition of a vitamin or a mineral to a food shall result in the presence of that vitamin or mineral in the food in at least a significant amount where this is defined according to point 2 of Part A of Annex XIII to Regulation (EU) No 1169/2011. The Commission is empowered to adopt delegated acts in accordance with Article 13a concerning measures determining the minimum amounts of vitamin or mineral in the food, including any lower amounts by derogation from the significant amounts, for specific foods or categories of foods.”

Amendment

“6. The addition of a vitamin or a mineral to a food shall result in the presence of that vitamin or mineral in the food in at least a significant amount where this is defined according to point 2 of Part A of Annex XIII to Regulation (EU) No 1169/2011. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation,** concerning measures determining the minimum amounts of vitamin or mineral in the food, including any lower amounts by derogation from the significant amounts, for specific foods or categories of foods.”

Amendment 438

Proposal for a regulation

Annex I – Part XII – point 159 – paragraph 3 – point 5

Regulation (EC) No 1925/2006

Article 7 – paragraph 1

Text proposed by the Commission

“1. The labelling, presentation and advertising of foods to which vitamins and minerals have been added shall not include any mention stating or implying that a balanced and varied diet cannot provide appropriate quantities of nutrients. The Commission is empowered to adopt delegated acts in accordance with Article 13a derogating from this rule as regards a specific nutrient.”

Amendment

“1. The labelling, presentation and advertising of foods to which vitamins and minerals have been added shall not include any mention stating or implying that a balanced and varied diet cannot provide appropriate quantities of nutrients. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation by granting derogations** from this rule as regards a specific nutrient.”

Amendment 439

Proposal for a regulation

Annex I – Part XII – point 159 – paragraph 3 – point 7

Regulation (EC) No 1925/2006

Article 13a

Text proposed by the Commission

“Article 13a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt referred to in Article 3(3), Article 4, Article 5(1), Article **6(6)**, Article 7(1) and Article 8(2) and (5) shall be conferred on the Commission for an indeterminate period of **time** from [date of entry into force of this **Omnibus**].

Amendment

“Article 13a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt referred to in Article 3(3), Article 4, Article 5(1), Article **6(1), (2) and (6)**, Article 7(1) and Article 8(2) and (5) shall be conferred on the Commission for an indeterminate period of time **of five years** from ... [date of entry into force of this **amending 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**

3. The delegation of power referred to in Article 3(3), Article 4, Article 5(1), Article **6(6)**, Article 7(1) and Article 8(2) and (5) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in *the Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the *Inter-Institutional Agreement on Better Law-Making of 13 April 2016**.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 3(3), Article 4, Article 5(1), Article **6(6)**, Article 7(1) and Article 8(2) and (5) shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p.1."

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.

3. The delegation of power referred to in Article 3(3), Article 4, Article 5(1), Article **6(1), (2) and (6)**, Article 7(1) and Article 8(2) and (5) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in *the Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the *Interinstitutional Agreement of 13 April 2016* on Better Law-Making *.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 3(3), Article 4, Article 5(1), **Article 6(1), (2) and (6)**, Article 7(1) and Article 8(2) and (5) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p.1."

Amendment 440

Proposal for a regulation

Annex I – Part XII – point 161 – paragraph 2 – point 1

Directive 2009/32/EC

Article 4 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission is empowered to adopt delegated acts in accordance with Article 5a establishing

Amendment

2. The Commission is empowered to adopt delegated acts in accordance with Article 5a **to supplement this Regulation by** establishing **the following:**

Amendment 441

Proposal for a regulation

Annex I – Part XII – point 161 – paragraph 2 – point 3

Directive 2009/32/EC

Article 5a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4 and Article 5(3) shall be conferred on the Commission for **an indeterminate** period of **time** from the [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 4 and Article 5(3) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 442

Proposal for a regulation

Annex I – Part XII – point 162 – paragraph 2 – point 2

Directive 2009/41/EC

Article 19a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 19 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 19 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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 443

Proposal for a regulation

Annex I – Part XII – point 163 – paragraph 3 – point 1

Directive 2009/54/EC

Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 13a concerning the measures referred to in points b(i) and (c)(i) of the first subparagraph.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 13a *to supplement this Directive by establishing rules* concerning the measures referred to in points b(i) and (c)(i) of the first subparagraph.”

Amendment 444

Proposal for a regulation

Annex I – Part XII – point 163 – paragraph 3 – point 2

Directive 2009/54/EC

Article 9 – paragraph 4 – subparagraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 13a concerning the measures referred to in point (d) of the first subparagraph.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Directive by establishing rules** concerning the measures referred to in point (d) of the first subparagraph.”

Amendment 445

Proposal for a regulation

Annex I – Part XII – point 163 – paragraph 3 – point 4

Directive 2009/54/EC

Article 12 – paragraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 13a concerning the measures referred to in points (a) to (f) of the first paragraph.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Directive by establishing rules** concerning the measures referred to in points (a) to (f) of the first paragraph.”

Amendment 446

Proposal for a regulation

Annex I – Part XII – point 163 – paragraph 3 – point 5

Directive 2009/54/EC

Article 13a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(1), Article 9(4), Article 11(4) and Article 12, shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 4(1), Article 9(4), Article 11(4) and Article 12, shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending 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 447

Proposal for a regulation

Annex I – Part XII – point 165 – paragraph 1

Text proposed by the Commission

In order to achieve the objectives of Regulation (EC) No 470/2009, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to **supplementing** that Regulation with scientific methods for establishing reference points for action, rules on actions in case of confirmed presence of a prohibited non-authorised substance, as well as the methodological principles for the risk assessment and risk management recommendations and rules on the use of a maximum residue limit established for a pharmacologically active substance in a particular foodstuff for another foodstuff derived from the same species, or a maximum residue limit established for a pharmacologically active substance in one or more species for other

Amendment

In order to achieve the objectives of Regulation (EC) No 470/2009, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to **supplement** that Regulation with scientific methods for establishing reference points for action, **reference points for action for residues from pharmacologically active substances**, rules on actions in case of confirmed presence of a prohibited non-authorised substance, as well as the methodological principles for the risk assessment and risk management recommendations and rules on the use of a maximum residue limit established for a pharmacologically active substance in a particular foodstuff for another foodstuff derived from the same species, or a

species. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016*. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

maximum residue limit established for a pharmacologically active substance in one or more species for other species. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment 448

Proposal for a regulation

Annex I – Part XII – point 165 – paragraph 2

Text proposed by the Commission

Amendment

In order to ensure uniform conditions for the implementation of the relevant provisions of Regulation (EC) No 470/2009, implementing powers should be conferred on the Commission concerning reference points for action for residues from pharmacologically active substances. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

deleted

Amendment 449

Proposal for a regulation

Annex I – Part XII – point 165 – paragraph 3 – point 1

Article 13 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission is empowered to adopt delegated acts, in accordance with Article 24a, concerning the adoption of:

Amendment

2. The Commission is empowered to adopt delegated acts, in accordance with Article 24a, **to supplement this Regulation** concerning the adoption of:

Amendment 450

Proposal for a regulation

Annex I – Part XII – point 165 – paragraph 3 – point 2

Regulation (EC) No 470/2009

Article 18

Text proposed by the Commission

“Article 18

Reference points for action

When it is deemed necessary in order to ensure the functioning of controls of food of animal origin imported or placed on the market in accordance with Regulation (EC) No 882/2004, the Commission **may establish, by means of implementing act**, reference points for action for residues from pharmacologically active substances which are not subject to a classification in accordance with Article 14(2)(a), (b) or (c). **Those implementing acts shall be adopted in accordance with the procedure referred to in Article 26(2).**

The reference points for action shall be reviewed regularly in the light of new scientific data relating to food safety, the outcome of the investigations and analytical tests referred to in Article 24 and

Amendment

“Article 18

Reference points for action

When it is deemed necessary in order to ensure the functioning of controls of food of animal origin imported or placed on the market in accordance with Regulation (EC) No 882/2004, the Commission **is empowered to adopt delegated acts in accordance with Article 24a to supplement this Regulation by establishing** reference points for action for residues from pharmacologically active substances which are not subject to a classification in accordance with Article 14(2)(a), (b) or (c).

The reference points for action shall be reviewed regularly in the light of new scientific data relating to food safety, the outcome of the investigations and analytical tests referred to in Article 24 and

technological progress.

On duly justified imperative grounds of urgency relating to the protection of human health, the Commission may adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 26 (2a)."

technological progress.

Where, in the case of risk to human health, imperative grounds of urgency so require, the procedure provided for in Article 24b shall apply to delegated acts adopted pursuant to this Article."

Amendment 451

Proposal for a regulation

Annex I – Part XII – point 165 – paragraph 3 – point 3

Regulation (EC) No 470/2009

Article 19 – paragraph 3 – subparagraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated *act*, in accordance with Article 24a, concerning the *methodological* principles and scientific methods for establishing reference *point* for action.”

Amendment

“The Commission is empowered to adopt delegated *acts*, in accordance with Article 24a, *to supplement this Regulation*, concerning the *methodological* principles and scientific methods for establishing reference *points* for action.”

Amendment 452

Proposal for a regulation

Annex I – Part XII – point 165 – paragraph 3 – point 4

Regulation (EC) No 470/2009

Article 24 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated *act*, in accordance with Article 24a, concerning the application of

Amendment

“4. The Commission is empowered to adopt delegated *acts*, in accordance with Article 24a, *to supplement this Regulation*

this Article.”

concerning the application of this Article.”

Amendment 453

Proposal for a regulation

Annex I – Part XII – point 165 – paragraph 3 – point 5

Regulation (EC) No 470/2009

Article 24a

Text proposed by the Commission

“Article 24a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 13(2), Article 19(3) and Article 24(4) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

3. The delegation of power referred to in Article 13(2), Article 19(3) and Article 24(4) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall

Amendment

“Article 24a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 13(2), ***Article 18***, Article 19(3) and Article 24(4) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending 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.***

3. The delegation of power referred to in Article 13(2), ***Article 18***, Article 19(3) and Article 24(4) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified

not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016**.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 13(2), Article 19(3) and Article 24(4) shall enter into force only if no objection has been expressed either by the European Parliament or *by* the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p.1.”

therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making*.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 13(2), *Article 18*, Article 19(3) and Article 24(4) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p.1.”

Amendment 454

Proposal for a regulation

Annex I – Part XII – point 165 – paragraph 3 – point 5 a (new)

Regulation (EC) No 470/2009

Article 24 b (new)

Text proposed by the Commission

Amendment

(5a) the following Article 24b is inserted:

“Article 24b

Urgency procedure

1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph

2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.

2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 24a (6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.”

Amendment 455

Proposal for a regulation

Annex I – Part XII – point 166 – paragraph 1

Text proposed by the Commission

In order to achieve the objectives of Regulation (EC) No 767/2009, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Regulation in order to adapt them to technical progress and to supplement that Regulation with a list of categories of feed materials. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016*. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States’ experts, and their experts

Amendment

In order to achieve the objectives of Regulation (EC) No 767/2009, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Regulation in order to adapt them to technical progress, ***update the list of intended uses, and set the maximum content of chemical impurities as referred to in point 1 of Annex I***, and ***also*** to supplement that Regulation with a list of categories of feed materials ***and by providing clarification as to whether a certain product constitutes feed***. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April*

systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment 456

Proposal for a regulation

Annex I – Part XII – point 166 – paragraph 2

Text proposed by the Commission

Amendment

In order to ensure uniform conditions for the implementation of Regulation (EC) No 767/2009, implementing powers should be conferred on the Commission in order to clarify whether a certain product constitutes feed, updating the list of intended uses and setting the maximum content of chemical impurities. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

deleted

Amendment 457

Proposal for a regulation

Annex I – Part XII – point 166 – paragraph 3 – point 2

Regulation (EC) No 767/2009

Article 7 – paragraph 2

Text proposed by the Commission

Amendment

“2. The Commission *may* adopt **implementing** acts in order to clarify whether a certain product constitutes feed

“2. The Commission *is empowered to* adopt **delegated** acts in *accordance with Article 27a supplementing this Regulation*

for the purposes of this Regulation. *Those implementing acts shall be adopted in accordance with the procedure referred to in Article 28(3).*”

in order to clarify whether a certain product constitutes feed for the purposes of this Regulation.”

Amendment 458

Proposal for a regulation

Annex I – Part XII – point 166 – paragraph 3 – point 3

Regulation (EC) No 767/2009

Article 10 – paragraph 5

Text proposed by the Commission

“5. Within six months of receipt of a valid application or, where appropriate, after receiving the opinion of the Authority, the Commission shall adopt **implementing** acts updating the list of intended uses if the conditions laid down in paragraph 2 are met. Those **implementing** acts shall be adopted in accordance with the procedure referred to in Article 28(3).”

Amendment

“5. Within six months of receipt of a valid application or, where appropriate, after receiving the opinion of the Authority, the Commission shall adopt **delegated** acts **in accordance with Article 27a supplementing this Regulation by** updating the list of intended uses if the conditions laid down in paragraph 2 are met. Those **delegated** acts shall be adopted in accordance with the procedure referred to in Article 27a.”

Amendment 459

Proposal for a regulation

Annex I – Part XII – point 166 – paragraph 3 – point 4

Regulation (EC) No 767/2009

Article 17 – paragraph 4 – subparagraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 27a, **concerning the establishment of** the list of categories of feed materials referred

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 27a **to supplement this Regulation by establishing** the list of categories of feed

to in paragraph 2(c).”

materials referred to in paragraph 2(c).”

Amendment 460

Proposal for a regulation

Annex I – Part XII – point 166 – paragraph 3 – point 6

Regulation (EC) No 767/2009

Article 26 – paragraph 3

Text proposed by the Commission

“3. *Amendments to* the Community Catalogue setting the maximum content of chemical impurities as referred to in point 1 of Annex I or levels of botanical purity as referred to in point 2 of Annex I or levels of moisture content as referred to in point 6 of Annex I or particulars replacing the compulsory declaration as referred to in Article 16(1)(b), *shall be adopted by means of implementing act. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 28(3).*”

Amendment

“3. *The Commission is empowered to adopt delegated acts in accordance with Article 27a in order to amend* the Community Catalogue setting the maximum content of chemical impurities as referred to in point 1 of Annex I or levels of botanical purity as referred to in point 2 of Annex I or levels of moisture content as referred to in point 6 of Annex I or particulars replacing the compulsory declaration as referred to in Article 16(1)(b).”

Amendment 461

Proposal for a regulation

Annex I – Part XII – point 166 – paragraph 3 – point 8

Regulation (EC) No 767/2009

Article 27a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6(2), Article 17(4), Article 20(2) and Article 27(1) shall be

Amendment

2. The power to adopt delegated acts referred to in Article 6(2), *Article 7(2), Article 10(5)*, Article 17(4), Article 20(2),

conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Article 26(3) and Article 27(1) shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending 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 462

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 1 – introductory part

Text proposed by the Commission

In order to achieve the objectives of Regulation (EC) No 1069/2009, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to *supplement* that Regulation as regards:

Amendment

In order to achieve the objectives of Regulation (EC) No 1069/2009, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to *amend* that Regulation as regards *an end point in the manufacturing chain and to supplement it as regards:*

Amendment 463

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 1 – indent 1

Text proposed by the Commission

– *an end point in the manufacturing chain;*

Amendment

deleted

Amendment 464

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 1 – point b

Regulation (EC) No 1069/2009

Article 5 – paragraph 2 – subparagraph 3

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 51a **concerning** an end point in the manufacturing chain, beyond which derived products referred to in this paragraph are no longer subject to the requirements of this Regulation.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 51a **to amend this Regulation as regards** an end point in the manufacturing chain, beyond which derived products referred to in this paragraph are no longer subject to the requirements of this Regulation.”

Amendment 465

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 2 – point a

Regulation (EC) No 1069/2009

Article 6 – paragraph 1 – subparagraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 51a concerning the measures referred to in point (b)(ii) of the first subparagraph.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 51a **to supplement this Regulation by establishing rules** concerning the measures referred to in point (b)(ii) of the first subparagraph.”

Amendment 466

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 2 – point b

Regulation (EC) No 1069/2009

Article 6 – paragraph 2 – subparagraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 51a concerning the measures referred to in the first subparagraph.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 51a **to supplement this Regulation by establishing rules** concerning the measures referred to in the first subparagraph.”

Amendment 467

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 3

Regulation (EC) No 1069/2009

Article 7 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts in accordance with Article 51a concerning the measures referred to in paragraphs 2 and 3.”

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 51a **to supplement this Regulation by establishing rules** concerning the measures referred to in paragraphs 2 and 3.”

Amendment 468

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 4 – point a

Regulation (EC) No 1069/2009

Article 11 – paragraph 2 – subparagraph 1 – introductory part

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 51a laying down measures relating to the following:”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 51a **to supplement this Regulation by** laying down measures relating to the following:”

Amendment 469

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 5 – point b – point i

Regulation (EC) No 1069/2009

Article 15 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 51a laying down measures relating to the following:”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 51a **to supplement this Regulation by** laying down measures relating to the following:”

Amendment 470

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 6

Regulation (EC) No 1069/2009

Article 17 – paragraph 2 – subparagraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 51a laying down the conditions referred to in the first subparagraph.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 51a **to supplement this Regulation by** laying down the conditions referred to in the first subparagraph.”

Amendment 471

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 7 – point a

Regulation (EC) No 1069/2009

Article 18 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 51a laying down measures relating to the following:”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 51a **to supplement this Regulation by** laying down measures relating to the following:”

Amendment 472

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 8 – point a

Regulation (EC) No 1069/2009

Article 19 – paragraph 4 – subparagraph 1 – introductory part

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 51a laying down measures relating to the following:”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 51a **to supplement this Regulation by** laying down measures relating to the following:”

Amendment 473

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 9 – point a

Regulation (EC) No 1069/2009

Article 20 – paragraph 11 – subparagraph 1 – introductory part

Text proposed by the Commission

“Following receipt of the opinion of the EFSA, the Commission is empowered to adopt delegated acts in accordance with Article 51a **as regards** the following:”

Amendment

“Following receipt of the opinion of the EFSA, the Commission is empowered to adopt delegated acts in accordance with Article 51a **to supplement this Regulation by adopting** the following:”

Amendment 474

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 10 – point a

Regulation (EC) No 1069/2009

Article 21 – paragraph 6 – subparagraph 1 – introductory part

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 51a laying down measures relating to the following:”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 51a **to supplement this Regulation by** laying down measures relating to the following:”

Amendment 475

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 11 – point b

Regulation (EC) No 1069/2009

Article 27 – subparagraph 1 – introductory part

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 51a concerning the following measures related to this Section and to Section 1 of this Chapter:”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 51a **to supplement the Regulation by establishing rules** concerning the following measures related to this Section and to Section 1 of this Chapter:”

Amendment 476

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 12

Regulation (EC) No 1069/2009

Article 31 – paragraph 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 51a concerning measures relating to the public and animal health conditions for the collection, processing and treatment of animal by-products and derived products referred to in paragraph 1.”

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 51a **to supplement this Regulation by establishing rules** concerning measures relating to the public and animal health conditions for the collection, processing and treatment of animal by-products and derived products referred to in paragraph 1.”

Amendment 477

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 13 – point a

Regulation (EC) No 1069/2009

Article 32 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 51a laying down measures relating to the following:”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 51a **to supplement this Regulation by** laying down measures relating to the following:”

Amendment 478

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 14

Regulation (EC) No 1069/2009

Article 40 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission is empowered to adopt delegated acts in accordance with

Amendment

1. The Commission is empowered to adopt delegated acts in accordance with Article 51a, **to supplement this**

Article 51a concerning the conditions for:

Regulation, concerning the conditions for:

Amendment 479

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 14

Regulation (EC) No 1069/2009

Article 40 – paragraph 2 – subparagraph 1 – introductory part

Text proposed by the Commission

2. The Commission **shall** adopt **implementing** acts concerning the following:

Amendment

2. The Commission **is empowered to** adopt **delegated** acts **in accordance with Article 51a, to amend this Regulation**, concerning the following:

Amendment 480

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 14

Regulation (EC) No 1069/2009

Article 40 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Those implementing acts shall be adopted in accordance with the procedure referred to in Article 52(3).

Amendment

deleted

Amendment 481

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 15 – point a

Regulation (EC) No 1069/2009

Article 41 – paragraph 1 – subparagraph 2

Text proposed by the Commission

“The Commission *shall adopt implementing acts laying down the conditions referred to in point (b) of the first subparagraph. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 52(3).*”

Amendment

“The Commission *is empowered to adopt delegated acts in accordance with Article 51a to supplement this Regulation by laying down the conditions referred to in point (b) of the first subparagraph.*”

Amendment 482

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 15 – point b

Regulation (EC) No 1069/2009

Article 41 – paragraph 3 – subparagraph 3

Text proposed by the Commission

“The Commission *shall adopt implementing acts laying down the requirements provided for in the first subparagraph. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 52(3).*”

Amendment

“The Commission *is empowered to adopt delegated acts in accordance with Article 51a to supplement this Regulation by laying down the requirements provided for in the first subparagraph.*”

Amendment 483

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 16 – point b

Regulation (EC) No 1069/2009

Article 42 – paragraph 2 – introductory part

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 51a **laying** down the following:”

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 51a, **to supplement this Regulation, by laying** down the following:”

Amendment 484

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 17

Regulation (EC) No 1069/2009

Article 43 – paragraph 3 – subparagraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 51a concerning the rules referred to in the first subparagraph.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 51a **to supplement this Regulation by establishing rules** concerning the rules referred to in the first subparagraph.”

Amendment 485

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 18

Regulation (EC) No 1069/2009

Article 45 – paragraph 4

Text proposed by the Commission

“4. The Commission may adopt **implementing** acts laying down detailed arrangements **for implementing** this Article, including rules concerning the reference methods for microbiological analyses. Those **implementing** acts shall be

Amendment

“4. The Commission may adopt **delegated** acts laying down detailed arrangements **to supplement** this Article, including rules concerning the reference methods for microbiological analyses. Those **delegated** acts shall be adopted in

adopted in accordance with the procedure referred to in Article 52(3).”

accordance with the procedure referred to in Article 51a.”

Amendment 486

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 19

Regulation (EC) No 1069/2009

Article 48 – paragraph 7 – introductory part

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 51a laying down the following:

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 51a **to supplement this Regulation by** laying down the following:

Amendment 487

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 19

Regulation (EC) No 1069/2009

Article 48 – paragraph 8 – introductory part

Text proposed by the Commission

8. The Commission is empowered to adopt delegated acts in accordance with Article 51a specifying the conditions subject to which the competent authorities may allow derogations from paragraphs 1 to 4 as regards the following:

Amendment

8. The Commission is empowered to adopt delegated acts in accordance with Article 51a **to supplement this Regulation by** specifying the conditions subject to which the competent authorities may allow derogations from paragraphs 1 to 4 as regards the following:

Amendment 488

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 20

Article 51a

Text proposed by the Commission

“Article 51a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The delegation of power referred to in Article 5(1) and (2), Article 6(1), and (2), Article 7(4), Article 11(2), Article 15(1), Article 17(2), Article 18(3), Article 19(4), Article 20(11), Article 21(6), Article 27, Article 31(2), Article 32(3), Article 40(1), the first subparagraph of Article 42(2), Article 43(3), the first subparagraph of **paragraph 7 and paragraph 8 of Article 48**, shall be conferred on the Commission for **an indeterminate** period of [date of entry into force of this **Omnibus**].

3. The delegation of power referred to in Article 5(1) and (2), Article 6(1), and (2), Article 7(4), Article 11(2), Article 15(1), Article 17(2), Article 18(3), Article 19(4), Article 20(11), Article 21(6), Article 27, Article 31(2), Article 32(3), Article 40(1), the first subparagraph of Article 42(2), Article 43(3), the first subparagraph of **paragraph 7 and paragraph 8 of Article 48** may be revoked at any time by the European Parliament or by the Council. **A**

Amendment

“Article 51a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The delegation of power referred to in Article 5(1) and (2), Article 6(1) and (2), Article 7(4), Article 11(2), Article 15(1), Article 17(2), Article 18(3), Article 19(4), Article 20(11), Article 21(6), Article 27, Article 31(2), Article 32(3), Article 40(1) **and (2), the second subparagraph of Article 41(1), the third subparagraph of Article 41(3)**, the first subparagraph of Article 42(2), Article 43(3), **Article 45(4)**, the first subparagraph of Article **48(7) and Article 48(8)** shall be conferred on the Commission for **a** period of **five years from ...** [date of entry into force of this **amending 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.**

3. The delegation of power referred to in Article 5(1) and (2), Article 6(1) and (2), Article 7(4), Article 11(2), Article 15(1), Article 17(2), Article 18(3), Article 19(4), Article 20(11), Article 21(6), Article 27, Article 31(2), Article 32(3), Article 40(1) **and (2), the second subparagraph of Article 41(1), the third subparagraph of Article 41(3)**, the first subparagraph of Article 42(2), Article 43(3), **Article 45(4)**, the first subparagraph of **Article 48(7) and**

decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016**.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 5(1) and (2), Article 6(1), and (2), Article 7(4), Article 11(2), Article 15(1), Article 17(2), Article 18(3), Article 19(4), Article 20(11), Article 21(6), Article 27, Article 31(2), Article 32(3), Article 40(1), the first subparagraph of Article 42(2), Article 43(3), the first subparagraph of paragraph 7 and paragraph 8 of Article 48 shall enter into force only if no objection has been expressed either by the European Parliament or *by* the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p.1.";

Article 48(8) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Makin *.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 5(1) and (2), Article 6(1) and (2), Article 7(4), Article 11(2), Article 15(1), Article 17(2), Article 18(3), Article 19(4), Article 20(11), Article 21(6), Article 27, Article 31(2), Article 32(3), Article 40(1) *and (2), the second subparagraph of Article 41(1), the third subparagraph of Article 41(3),* the first subparagraph of Article 42(2), Article 43(3), *Article 45(4),* the first subparagraph of *Article 48(7) and Article 48(8)* shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p.1.";