Wednesday 17 April 2019

P8_TA(2019)0410

Adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 TFEU — part I ***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 — C8-0524/2016 — 2016/0400A(COD))

(Ordinary legislative procedure: first reading)

(2021/C 158/57)

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 (C8-0524/2016),

— having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis,

— having regard to Article 294(3) and Article 33, Article 43(2), Article 53(1), Article 62, Article 91, Article 100(2), Article 114, Article 153(2)(b), Article 168(4)(b), Article 172, Article 192(1), Article 207(2), Article 214(3), 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 2017 ([1]),

— having regard to the opinion of the Committee of the Regions of 1 December 2017 ([2]),

— 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 provisional agreement approved by the committee responsible under Rule 69f(4) of its Rules of Procedure and the undertaking given by the Council representative by letter of 27 February 2019 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,

— having regard to the report of the Committee on Legal Affairs (A8-0190/2019),

— 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 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 (A8-0020/2018),

([1]) OJ C 288, 31.8.2017, p. 29.
([2]) OJ C 164, 8.5.2018, p. 82.

1. Adopts its position at first reading hereinafter set out;

2. Approves the joint statement by Parliament, the Council and the Commission annexed to this resolution;

3. Takes note of the Commission statement annexed to this resolution;

4. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;

5. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

P8_TC1-COD(2016)0400A

Position of the European Parliament adopted at first reading on 17 April 2019 with a view to the adoption of Regulation (EU) 2019/… 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

(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU) 2019/1243.)

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ANNEX TO THE LEGISLATIVE RESOLUTION

Joint Statement by the Parliament, the Council and the Commission

In point 27 of the Interinstitutional Agreement on Better Law-Making the three institutions acknowledged the need for the alignment of all existing legislation to the legal framework introduced by the Lisbon Treaty, and in particular the need to give high priority to the prompt alignment of all basic acts which still refer to the regulatory procedure with scrutiny. Following the proposal of the Commission to that end, this Regulation responds to that need by providing for the alignment of the regulatory procedure with scrutiny in a significant number of acts included in that proposal. The three institutions will continue to work on the alignment of the remaining acts of that proposal.

Commission Statement

The Commission notes the choice of the legislators to provide for a limited duration for all the empowerments in which the regulatory procedure with scrutiny is aligned through this Regulation, coupled with a reporting obligation and tacit renewal of the empowerment. In particular in view of the high number of reports which would become due at regular intervals of time and the fact that easily available information about the use of the empowerments is available through the Register of Delegated Acts, the Commission underlines that it has discretion about the way in which it will comply with the reporting obligation. Where appropriate, the Commission may therefore group reports due under several basic acts in one single document.