# Conservation of wild birds; Commission implementing powers

2008/0038(COD) - 26/02/2008 - Legislative proposal

PURPOSE: to adapt to the regulatory procedure with scrutiny (comitology) of Council Directive 79/409 /EEC on the conservation of wild birds.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

CONTEXT: Decision 1999/468/EC has been amended by Decision 2006/512/EC, which introduced a regulatory procedure with scrutiny for measures of general scope designed to amend non-essential elements of a basic instrument adopted in accordance with the codecision procedure. The Commission conducted a close examination of all the instruments adopted under the codecision procedure in order to identify those which empower the Commission to adopt measures of a general scope which seek to amend non-essential elements of the basic instrument in question. The Commission has thus been able to identify more than 200 instruments requiring adaptation.

CONTENT: the proposed amendment aims to introduce the regulatory procedure with scrutiny in Council Directive 79/409/EEC on the conservation of wild birds. This Directive is included in the Commission's codification programme. Depending on the stage reached in the codification procedure, these instruments will be adapted to the new procedure either by conversion of the codified proposal into a recast, or, in this case, by means of legislative amendment.

As regards Directive 79/409/EEC, power should be conferred on the Commission in particular to amend certain Annexes in the light of scientific and technical progress. Since those measures are of general scope and are designed to amend non-essential elements of Directive 79/409/EC and to supplement it by the addition of new nonessential elements, they must be adopted in accordance with the regulatory procedure with scrutiny provided.