Common agricultural policy CAP: financing; alignment of the Regulation with the TFEU (Commission delegated and implementing powers)

2010/0365(COD) - 15/12/2010 - Legislative proposal

PURPOSE: to align the powers conferred under Regulation (EC) No 1290/2005 upon the Commission with Articles 290 (Delegated acts) and 291 (Implementing acts) of the Treaty on the Functioning of the European Union.

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

LEGAL BASE: first subparagraph of Article 42 and Article 43(2) of the Treaty on the Functioning of the European Union (TFEU).

IMPACT ASSESSMENT: there was no need for consultation of interested parties or for an impact analysis since the proposal to align Council Regulation (EC) No 1290/2005 with the TFEU is an interinstitutional matter that will concern all Council Regulations. The amendments aiming at simplification of recovery procedures are of limited scope and purely technical nature.

CONTENT: Council Regulation (EC) No 1290/2005 on the financing of the common agricultural policy and repealing Council Regulation (EC) No 165/94 and Council Regulation (EC) No 78/2008 confer competence on the Commission to adopt detailed rules for the application of that Regulation.

As a consequence of the entry into force of the Lisbon Treaty, the powers conferred under Regulation (EC) No 1290/2005 upon the Commission need to be aligned with Articles 290 and 291 of the Treaty on the Functioning of the European Union.

To this end, the aim of this proposal is to identify the delegated and implementing powers of the Commission in Council Regulation (EC) No 1290/2005 and establish the corresponding procedure for the adoption of these acts (alignment of the regulation with the Treaty of Lisbon).

In addition, some simplifications are introduced relating to EAGF expenditure and recovery procedures.

BUDGETARY IMPLICATION: this proposal has no implication for the EU budget.