Imports of rice originating from Bangladesh: aligning the Regulation with the TFEU; Commission delegated and implementing powers

2012/0085(COD) - 16/04/2012 - Legislative proposal

PURPOSE: to align Council Regulation (EEC) No 3491/90 on imports of rice originating in Bangladesh with the differentiation between delegated and implementing powers of the Commission introduced by Articles 290 and 291 of the Treaty on the Functioning of the European Union (TFEU).

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

IMPACT ASSESSMENT: there is no need for an impact assessment since the proposal to align Council Regulation (EEC) No 3491/90 to the Lisbon Treaty is an inter-institutional matter that will concern all Council Regulations.

LEGAL BASIS: Article 207 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the proposal is limited to adapting the provisions on preferential imports of rice originating in Bangladesh to new requirements introduced by the Lisbon Treaty.

It aims to identify the delegated and implementing powers of the Commission in Council Regulation (EEC) No 3491/90 and establish the corresponding procedure for adoption of these acts.

In order to ensure the reliability and the efficiency of the preferential import arrangement, the Commission will have the power to adopt **delegated acts** to establish rules making the participation in the arrangement conditional upon the lodging of a security.

The Commission shall, by means of **implementing acts**, adopt the necessary measures concerning:

- the administrative method to be used for the management of the preferential import arrangement;
- the means for determining the origin of the product covered by the preferential import arrangement;
- the form and period of validity of the certificate of origin referred to in the Regulation;
- the nature of the proofs required to establish that the export tax referred to in the Regulation has been paid ;
- the period of validity of the import licences, where appropriate;
- the amount of the security required to be lodged in accordance with the Regulation;
- the notifications to be made to the Commission by Member States.

BUDGETARY IMPLICATIONS: the proposal has no implications for the EU budget.