Community control system for ensuring compliance with the rules of the Common Fisheries Policy: aligning the Regulation with the TFEU (Commission delegated and implementing powers)

2013/0007(COD) - 18/01/2013 - Legislative proposal

PURPOSE: to align Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy with the new rules of the Treaty on the Functioning of the European Union (delegated and implementing powers of the Commission).

PROPOSED ACT: Regulation of the European Parliament and of the Council (amendment of Council Regulation (EC) No 1224/2009).

PARLIAMENT'S ROLE: Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the Treaty on the Functioning of the European Union (TFEU) makes a distinction between:

- the powers delegated to the Commission to adopt non-legislative acts of general application to supplement or amend certain non-essential elements of the legislative act as laid down in Article 290 (1) of the TFEU (**delegated acts**), on the one hand,
- and the powers conferred upon the Commission to adopt uniform conditions for implementing legally binding Union acts as laid down in Article 291(2) of the TFEU (**implementing acts**), on the other.

In the context of the alignment of Regulation (EC) No 1224/2009 to the new rules of the TFEU, powers currently conferred to the Commission by that Regulation have been reclassified into measures of delegated nature and measures of implementing nature.

IMPACT ASSESSMENT: there was no need for an impact assessment.

LEGAL BASIS: Article 43(2) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the proposed Regulation seeks to:

- identify the delegated powers of the Commission in Council Regulation (EC) No 1224/2009 and to establish the corresponding procedure for adoption of these acts;
- adapt certain provisions to the decision-making procedures of the TFEU.

BUDGETARY IMPACT: this measure does not involve any additional Union expenditure.