Agricultural and fishery statistics: aligning certain legislative acts with the TFEU (Commission delegated and implementing powers)

2012/0343(COD) - 19/11/2013 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 667 votes to 23, with 4 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending certain legislative acts in the domain of agricultural and fishery statistics.

Parliament adopted its position at first reading following the ordinary legislative procedure. The amendments adopted in plenary are the result of a compromise negotiated between the European Parliament and of the Council.

The amendments stipulated that the amending Regulation aims to align the existing conferral of powers on the Commission in the legislative acts with the TFEU (delegated acts) and with the new legal framework resulting from the entry into force of Regulation (EU) No 182/2011 (implementing acts), and, where appropriate, to review the scope of those powers.

- **For delegated acts**: the amended Regulation has limited the delegation of power conferred on the Commission for a period of **five years,** which may be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Parliament has added, in these amendments, the standard phrase according to which the Commission should draw up a **report in respect of the delegation of power not later than nine months** before the end of the five-year period.

The amendments stated that the Commission should duly **justify the statistical actions** provided for in those delegated acts, using, where appropriate, input from relevant experts based on a cost-effectiveness analysis.

For certain legislative acts, it is stipulated that those delegated acts shall be adopted only where they are necessary in order to take account of economic and technical developments and that they do not change the optional nature of the required information and they do **not impose a significant additional burden on Member States or on the respondents**.

- **In order to ensure uniform conditions for the implementation** of the legislative acts, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

In this context, the colegislators have amended the legislative acts by replacing the reference to the Standing Committee for Agricultural Statistics (SCAS) set up by Council Decision 72/279/EEC by a reference to the European Statistical System Committee (ESSC) established by Regulation (EC) No 223 /2009 of the European Parliament and of the Council. The Commission should continue to confer with experts in agriculture and fisheries statistics before bringing a matter before the ESSC.

- For reasons of legal certainty, it is stated that his Regulation should **not affect** the procedures for the adoption of measures provided for in the legislative acts which have been initiated but which have not been completed before the entry into force of this Regulation.