

# Aligning a number of legal acts with the TFEU: Commission delegated and implementing powers

2013/0365(COD) - 08/01/2014 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Legal Affairs adopted the report by József SZÁJER (EPP, HU) on the proposal for a regulation of the European Parliament and of the Council adapting to Article 290 and 291 of the Treaty on the Functioning of the European Union a number of legal acts providing for the use of the regulatory procedure with scrutiny (RPS).

At the time of adopting Regulation (EU) No 182/2011 of the European Parliament and of the Council on comitology, the Commission undertook to assess by the end of 2012 the legislative acts containing references to RPS that remained in force, in order to prepare the appropriate legislative initiatives to complete the adaptation to the new legal framework. The overall objective was that, **by the end of the 7th term of the Parliament, all provisions referring to the regulatory procedure with scrutiny would have been removed** from all legislative instruments.

In keeping with that statement and further to the screening of existing legislation, the Commission put forward three proposals for a regulation adapting to Article 290 TFEU a number of legal acts providing for the use of the regulatory procedure with scrutiny (RPS) (Please see [2013/0220\(COD\)](#) and [2013/0218\(COD\)](#)).

This report is related to a proposal covering more than 30 legislative acts containing RPS measures. The Commission had concluded in its proposal that some of those measures did not fall into the scope of Article 290 TFEU. In cases where the Commission considered that those measures fulfil the criteria of Article 291 TFEU, it had proposed that the Commission be empowered to adopt implementing acts (measures listed in Annex II). In other cases, the Commission had appreciated that the powers given to the Commission were not in accordance with the Treaty, and it proposes the deletion of those provisions (Annex III).

The rapporteur and the specialised committees consulted opposed most of the adaptations of provisions for the use of RPS to the regime and implementing acts, which they felt that the Commission had proposed without a detailed and individual justification. Therefore, except for specific exceptions, most of the provisions included by the Commission in Annex II have been moved to Annex I (legal acts adapted to the regime of delegated acts.)