Common commercial policy: aligning certain acts with the TFEU (Commission delegated and implementing powers)

2011/0153(COD) - 15/01/2014 - Final act

PURPOSE: to amend certain regulations relating to the common commercial policy with a view to adapting them to the decision-making procedures provided for in the Lisbon Treaty, which entered into force in December 2009 (delegated and implementing powers of the Commission) – “Omnibus II”.

LEGISLATIVE ACT: Regulation (EU) No 38/2014 of the European Parliament and of the Council amending certain regulations relating to the common commercial policy as regards the granting of delegated and implementing powers for the adoption of certain measures.

CONTENT: the regulation seeks to adapt a certain number of regulations adopted between 1993 and 2008 in the area of trade policy to the new system of delegated acts (Article 290 of the TFEU) and implementing acts (Article 291 of the TFEU).

Two aligning proposals known as Omnibus I and Omnibus II each bring together in a single instrument the underlying trade regulations that needed to be updated: Omnibus I mainly covers implementing acts and **Omnibus II mainly delegated acts**.

This proposal (Omnibus II) therefore brings about the necessary changes to the underlying texts which previously referred to the old comitology decision 1999/468/EC.

When reference is made to the adoption of delegated acts, the regulation stipulates that the power to adopt such acts is given to the Commission for a period of **five years** (that may be tacitly extended for periods of the same duration) with effect from 20 February 2014. The European Parliament or the Council may raise objections to a delegated act within a period of two months from the date of its notification (this period may be extended by a further period of two months). If the European Parliament or the Council make objections, the delegated act does not enter into force.

The regulation contains a **statement by the Commission** recalling that it has undertaken, under the terms of the Framework Agreement on relations between the European Parliament and the European Commission, to provide to the Parliament full information and documentation on its meetings with national experts within the framework of its work on the preparation of delegated acts.

The regulation does not concern procedures for the adoption of measures that were initiated but not been completed before its entry into force.

ENTRY INTO FORCE: 20.02.2014.