

# **FLEGT licensing scheme for imports of timber into the EU: aligning the Regulation with the TFEU (Commission delegated and implementing powers)**

2013/0010(COD) - 15/05/2014 - Final act

**PURPOSE:** the alignment of Council Regulation (EC) No 2173/2005 on the establishment of a FLEGT licensing scheme for imports of timber into the European Community to the new rules of the Treaty on the Functioning of the European Union (Commission delegated and implementing powers).

**LEGISLATIVE ACT:** Regulation (EU) No 657/2014 of the European Parliament and of the Council amending Council Regulation (EC) No 2173/2005 as regards the delegated and implementing powers to be conferred on the Commission.

**CONTENT:** this Regulations amends Regulation 2173/2005 on the establishment of a FLEGT (forest law enforcement, governance and trade in timber products) licensing scheme for imports of timber into the EU. It **aligns Regulation 2173/2005 on articles 290 and 291 of the Treaty on the Functioning of the European Union** as regards the implementing and delegated powers conferred upon the Commission.

**Delegated powers:** the Commission shall be empowered to adopt delegated acts to amend: (i) the list of partner countries and their designated licensing authorities as set out in Annex I; (ii) the list of timber products as set out in Annex II to which the FLEGT licensing scheme applies.

The power to adopt delegated acts shall be conferred on the Commission for a period of **five years from 30 June 2014** which may be tacitly extended for periods of an identical duration. The European Parliament or the Council may raise objections to a delegated act within a period of two months from the date of notification (this may be extended by **four months**). If the European Parliament or Council express objections, the delegated act will not enter into force.

**Implementing powers:** in order to ensure uniform conditions for the implementation of Regulation (EC) No 2173/2005, implementing powers should be conferred on the Commission to: (i) assess and approve existing schemes that guarantee the legality and reliable tracking of timber products exported from partner countries with a view to becoming the basis of a Forest Law Enforcement, Governance and Trade (FLEGT) licence, and (ii) adopt modalities of a practical nature and documents of a standard format, including their possible means (electronic or paper format) in relation to the FLEGT licensing scheme.

**Review of an exemption:** timber products of species listed in Annexes A, B and C to Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade shall be exempt from the requirement laid down in this amended Regulation. The Commission shall review that exemption, taking into account market developments and the experience gained in the implementation of this Regulation, shall report on its findings to the European Parliament and to the Council and, if necessary, shall come forward with appropriate legislative proposals.

**ENTRY INTO FORCE:** 30.06.2014.