Adapting a number of legal acts in the area of justice to Article 290 TFEU (Commission delegated acts)

2016/0399(COD) - 18/10/2022 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a legislative resolution **approving the Council's position at first reading** with a view to the adoption of a regulation of the European Parliament and of the Council amending Regulation (EC) No 805/2004 as regards the use of the regulatory procedure with scrutiny in order to adapt it to Article 290 of the Treaty on the Functioning of the European Union.

The Council's position aims at adapting Regulation (EC) No 805/2004 creating a European Enforcement Order for uncontested claims to Article 290 of the Treaty on the Functioning of the European Union. The only provision of Regulation (EC) No 805/2004 that provides for the use of the regulatory procedure with scrutiny is amended to provide for the **use of delegated acts**.

The power to adopt delegated acts is conferred on the Commission for **renewable periods of five years**, with the obligation for the Commission to report, nine months before the expiry of each period, on the manner in which it has made use of this power.

An adopted delegated act will enter into force only if the European Parliament or the Council has not objected within **two months** of its notification to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission of their intention not to object. This period will be extended by two months at the initiative of the European Parliament or the Council.

Ireland has notified its wish to participate in the adoption and application of the Regulation. Denmark is not taking part in the adoption of the Regulation and is not bound by it or subject to its application.