Mutual assistance between the Member States for application of the law on customs and agricultural matters

1992/0450(CNS) - 16/01/1997

The rapporteur, Mrs Theato (EPP, DE), questioned the Council’s unilateral choice of the legal basis (Articles 235 and 43) as this resulted in less democracy and transparency in the EU’s decision-making system and could compromise the institutional balance between Parliament and Council. She also felt that this approach would prevent the proper functioning of the single market. Commissioner Bonino stated that the Commission shared Parliament’s opinion that the Council had infringed Parliament’s powers by removing the proposal from the codecision procedure. As a result, the Commission reserved the right to bring the question of the legal basis before the Court of Justice.