

Comitology: exercise of implementing powers conferred to the Commission

2002/0298(CNS) - 17/07/2006 - Final act

PURPOSE: the introduction of a new implementing procedure - the “regulatory procedure with scrutiny”.

LEGISLATIVE ACT: Council Decision amending Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission.

CONTENT: in 1999 the Council adopted Decision 1999/468/EC *laying down the procedures for the exercise of implementing powers conferred on the Community*. For a summary of the Decision see CNS /1998/0219.

The purpose of this Decision is to amend Council Decision 1999/468/EC by introducing a new procedure which provides for greater scrutiny hence its name: “regulatory procedure with scrutiny”. This procedure will apply to measures of general scope which amend *non-essential* elements of a basic instrument and which have been adopted in accordance with Article 251 of the Treaty. “Non-essential elements”, refers to, for example, the deletion of certain provision. The purpose of the new procedure is to allow the two arms of the legislative authority to scrutinise such measures before they are adopted. *Essential* elements, however, can only be amended by the legislator based on Treaty provisions.

At the same time Decision 1999/468/EC has been amended so that the European Parliament has greater access to information on the committee’s work.

In addition, the Decision states that:

- The Commission is to inform the European Parliament, on a regular basis, of committee proceedings. The Commission is to forward documents related to the committees activities to Parliament and to inform it whenever the Commission transmits measures to the Council.
- The “Regulatory Procedure with Scrutiny Committee”, will be composed of Member State representatives and chaired by a Commission representative.
- The Decision details the deadlines and measures which are to be applied.

EFFECTIVE AS FROM: 23 July 2006.