Basic information

2003/2009(INI) INI - Own-initiative procedure	Procedure completed
Better lawmaking 2002: application of the principle of subsidiarity. 10th annual report **Subject** 8.40.10 Interinstitutional relations, subsidiarity, proportionality, comitology 8.50.02 Legislative simplification, coordination, codification	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs and Internal Market	WALLIS Diana (ELDR)	20/02/2003

Committee for opinion	Rapporteur for opinion	Appointed
AFCO Constitutional Affairs	The committee decided not to give an opinion.	

European Commission

Commission DG	Commissioner
Secretariat-General	

Key events

Date	Event	Reference	Summary
11/12/2002	Non-legislative basic document published	COM(2002)0715	Summary
16/01/2003	Committee referral announced in Parliament		
27/01/2004	Vote in committee		Summary
27/01/2004	Committee report tabled for plenary	A5-0048/2004	
26/02/2004	Decision by Parliament	T5-0113/2004	Summary
26/02/2004	End of procedure in Parliament		

Technical information

Procedure reference	2003/2009(INI)
Procedure type	INI - Own-initiative procedure

Procedure subtype	Initiative
Legal basis	Rules of Procedure EP P.F.
Stage reached in procedure	Procedure completed
Committee dossier	JURI/5/19092

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A5-0048/2004	27/01/2004	
Text adopted by Parliament, single reading		T5-0113/2004 OJ C 098 23.04.2004, p. 0020-0155 E	26/02/2004	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2002)0715	11/12/2002	Summary

Better lawmaking 2002: application of the principle of subsidiarity. 10th annual report

2003/2009(INI) - 26/02/2004 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution based on the own-initiative report drafted by Diana WALLIS (ELDR, UK) welcoming the Commission's report on better lawmaking. (Please see the summary of 27/01/04.) Parliament recalled that the principle of subsidiarity aims to ensure that decisions are taken as closely as possible to the Union's citizens. The principle entails a form of scrutiny as to whether the reach of Community action into the domain of the Member States is justified. The principle of subsidiarity should also serve to encourage Union intervention in sectors which do not fall within its exclusive competence if, and to the extent that, the objectives of the planned action cannot be adequately achieved by the Member States and can therefore be better achieved at Community level. Parliament stressed that ex-ante and ex-post examination of this multifaceted principle is of utmost importance within the context of the Union dynamics.

Better lawmaking 2002: application of the principle of subsidiarity. 10th annual report

2003/2009(INI) - 11/12/2002 - Non-legislative basic document

PURPOSE : the presentation by the European Commission of the 10th report on the application of the principles of subsidiarity and proportionality. CONTENT : in the continuity of the previous reports, the report "Better Lawmaking 2002" takes account of the application by the Commission of these two principles throughout the year 2002, as well as the actions which have led to the improvement of the quality and accessibility of legislation (consolidation, codification recasting and simplification). The 10th report, which presents a rough assessment of the period, also focuses on two new factors of a more political nature. - firstly, in line with the commitment set out in the White Paper on European Governance, the Commission has focused the report on the main objectives of European Union policies, and no longer on a few fields of activity chosen at random; - in addition, the Commission wishes to place application of the principles of subsidiarity and proportionality in its original interinstitutional context. By adopting this approach, which is more in keeping with the spirit of the Treaty and the Protocol, the Commission wishes to emphasise that the principles of subsidiarity and proportionality remain dynamic concepts and that their effective application depends on the joint responsibility of the Parliament, the Council and the Commission, and on effective operation and dialogue within the institutional triangle. The first assessment which can be made of this period, which was confirmed yet again in 2002, is favourable. The Institutions have on the whole satisfactorily observed Article 5 of the EC Treaty and the annexed Protocol. This positive assessment by the Commission is moreover shared by the European Council in its conclusions and by the European Parliament in its biannual report, and by the low number of appeals to the Court of Justice on grounds of subsidiarity or proportionality. Furthermore, the Convention on the Future of the Union acknowledged that there were very few cases in which the Institutions failed to respect the

principle of subsidiarity. Nevertheless, with a view to involving national Parliaments in monitoring Community legislation, one of the Convention's working groups has proposed to establish an early warning mechanism for Commission proposals and provision for referral to the Court of Justice, particularly by national Parliaments and the Committee of the Regions. With regard to the quality of legislation either in the process of adoption or already adopted, the Commission has this year taken numerous initiatives which it intends to implement in order to consolidate the work which has been achieved over several years. It hopes to have the political support and substantial involvement of the European Parliament and the Council in this area.