Basic information

2006/0289(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Direct insurance other than life assurance: implementing powers conferred on the Commission **Subject** 2.50.05 Insurance, pension funds	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ECON Economic and Monetary Affairs	BERÈS Pervenche (PSE)	13/02/2007

Council of the European Union

Council configuration	Meetings	Date
Environment	2856	2008-03-03

European Commission

Commission DG	Commissioner
Economic and Financial Affairs	ALMUNIA Joaquín

Key events

Date	Event	Reference	Summary
22/12/2006	Legislative proposal published	COM(2006)0924	Summary
17/01/2007	Committee referral announced in Parliament, 1st reading		
11/06/2007	Vote in committee, 1st reading		Summary
15/06/2007	Committee report tabled for plenary, 1st reading	A6-0237/2007	
10/07/2007	Decision by Parliament, 1st reading	T6-0298/2007	Summary
10/07/2007	Results of vote in Parliament		
03/03/2008	Act adopted by Council after Parliament's 1st reading		
11/03/2008	Final act signed		
11/03/2008	End of procedure in Parliament		
20/03/2008	Final act published in Official Journal		

Technical information

Procedure reference	2006/0289(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 055 EC Treaty (after Amsterdam) EC 047-p2
Stage reached in procedure	Procedure completed
Committee dossier	ECON/6/44437

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE388.705	15/05/2007	
Committee report tabled for plenary, 1st reading/single reading		A6-0237/2007	15/06/2007	
Text adopted by Parliament, 1st reading/single reading		T6-0298/2007	10/07/2007	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	03679/2007/LEX	11/03/2008	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2006)0924	22/12/2006	Summary
Commission response to text adopted in plenary	SP(2007)4170	29/08/2007	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Directive 2008/0036
OJ L 081 20.03.2008, p. 0069 Summary

Direct insurance other than life assurance: implementing powers conferred on the Commission

2006/0289(COD) - 11/03/2008 - Final act

PURPOSE: to amend Directive 92/49/EEC on the coordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance by introducing a reference to the new regulatory procedure with scrutiny (comitology).

LEGISLATIVE ACT: Directive 2008/36/EC of the European Parliament and of the Council amending Council Directive 92/49/EEC on the coordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance, as regards the implementing powers conferred on the Commission.

CONTENT: Council Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission has been amended by Council Decision 2006/512/EC (CNS/2002/0298).

The amended Decision introduces a new *regulatory procedure with scrutiny* to be used for measures of general scope which seek to amend non-essential elements of a basic instrument, adopted under co-decision. This may include deleting some of those elements or supplementing the instrument, by the addition of new non-essential elements.

This procedure allows the legislator to oppose the adoption of "quasi-legislative" measures implementing a codecision-based instrument in cases where:

- the draft may exceed the implementing powers provided for in the basic instrument;
- the draft is incompatible with the aim or the content of that instrument; or
- the draft fails to respect the principles of subsidiarity or proportionality.

In a joint statement, the three institutions agreed on a list of 26 basic instruments already in force to be adjusted without delay in accordance with the new regulatory procedure with scrutiny (see ACI/2006/2152). Each case has been assessed on the nature of the implementing powers conferred on the Commission and the specificity of each sector.

The purpose of this act, therefore, is to amend EU legislation concerning the coordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance, by introducing the new *regulatory procedure with scrutiny* procedure.

ENRY INTO FORCE: 21 March 2008.

Direct insurance other than life assurance: implementing powers conferred on the Commission

2006/0289(COD) - 22/12/2006 - Legislative proposal

PURPOSE: to amend Directive 92/49/EEC on the coordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance by introducing a reference to the new regulatory procedure with scrutiny(comitology).

PROPOSED ACT: Directive of the European Parliament and of the Council.

CONTENT: Council Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission has been amended by Council Decision 2006/512/EC (CNS/2002/0298).

The amended Decision introduces a new *regulatory procedure with scrutiny* to be used for measures of general scope which seek to amend non-essential elements of a basic instrument, adopted under co-decision, including by deleting some of those elements or by supplementing the instrument by the addition of new non-essential elements.

This procedure allows the legislator to oppose the adoption of "quasi-legislative" measures implementing a codecision-based instrument when it considers that the draft exceeds the implementing powers provided for in the basic instrument, or that the draft is incompatible with the aim or the content of that instrument or fails to respect the principles of subsidiarity or proportionality.

In a joint statement, the three institutions agreed on a list of 26 basic instruments already in force to be adjusted without delay in accordance with the new regulatory procedure with scrutiny (see ACI/2006/2152). Each case has been assessed on its own merits, notably in view of the nature of the implementing powers conferred on the Commission and the specificity of each sector.

Lastly, in accordance with the abovementioned statement, the Commission is proposing to repeal any provisions of these instruments that provide for a time-limit on the delegation of implementing powers to the Commission.

Direct insurance other than life assurance: implementing powers conferred on the Commission

2006/0289(COD) - 10/07/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the report drafted by Pervenche **BERÈS** (PES, FR) on the proposal for a directive amending Directive 92/49/EEC on the coordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance, as regards the implementing powers conferred on the Commission.

One amendment was made stating that a reference to the 91/675/EEC and the old regulatory procedure should be replaced by a reference to the new regulatory procedure with scrutiny, which should apply for the purpose of adopting any implementing measure or undertaking technical adjustments in accordance with this Directive.