Basic information

2009/0048(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure lapsed or withdrawn
Adapting a number of instruments to the regulatory procedure with scrutiny, "omnibus" Regulation, Part Five **Subject** 8.40.10 Interinstitutional relations, subsidiarity, proportionality, comitology	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs	SZÁJER József (PPE)	02/09/2009

Former committee responsible	Former rapporteur	Appointed
JURI Legal Affairs		

Committee for opinion	Rapporteur for opinion	Appointed
ENVI Environment, Public Health and Food Safety	LEINEN Jo (S&D)	21/07/2009

Former committee for opinion	Former rapporteur for opinion	Appointed
ENVI Environment, Climate and Food Safety		

Council of the European Union

European Commission

Commission DG	Commissioner
Secretariat-General	BARROSO José Manuel

Key events

Date	Event	Reference	Summary
		COM(2009)0142	Summary

30/03/2009	Legislative proposal published		
14/07/2009	Committee referral announced in Parliament, 1st reading		
06/10/2009	Vote in committee, 1st reading		Summary
09/10/2009	Committee report tabled for plenary, 1st reading	A7-0036/2009	
24/11/2009	Decision by Parliament, 1st reading	T7-0083/2009	Summary
24/11/2009	Results of vote in Parliament		

Technical information

Procedure reference	2009/0048(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	Treaty on the Functioning of the European Union TFEU 168
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	JURI/7/00286

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE428.211	16/09/2009	
Committee opinion	ENVI	PE428.220	05/10/2009	
Committee report tabled for plenary, 1st reading/single reading		A7-0036/2009	09/10/2009	
Text adopted by Parliament, 1st reading/single reading		T7-0083/2009	24/11/2009	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2009)0142	30/03/2009	Summary
Commission response to text adopted in plenary	SP(2010)484	23/02/2010	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1193/2009	16/07/2009	

Additional information		
Source	**Document**	**Date**
National parliaments	IPEX	
European Commission	EUR-Lex	

Adapting a number of instruments to the regulatory procedure with scrutiny, "omnibus" Regulation, Part Five

2009/0048(COD) - 24/11/2009 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 622 votes to 18 with 13 abstentions, a legislative resolution rejecting, under the first reading of the codecision procedure, the proposal for a regulation of the European Parliament and of the Council adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC, with regard to the regulatory procedure with scrutiny – Adaptation to the regulatory procedure with scrutiny – Part Five. It calls on the Commission to submit a new proposal taking into account the provisions of the Treaty of Lisbon, in particular Article 290 of the Treaty on the Functioning of the European Union, and Parliament's resolution of 23 September 2008.

Lastly, Members call on the Commission to submit proposals aligning the acquis communautaire to Article 290 of the Treaty on the Functioning of the EU.

Adapting a number of instruments to the regulatory procedure with scrutiny, "omnibus" Regulation, Part Five

2009/0048(COD) - 30/03/2009 - Legislative proposal

PURPOSE: to adapt a number of instruments subject to the codecision procedure referred to in Article 251 of the Treaty to Council Decision 1999/468 /EC, with regard to the regulatory procedure with scrutiny.

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

CONTENT: Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission was amended by Council Decision 2006/512/EC, which introduced a new regulatory procedure with scrutiny (PRAC) for measures of general scope designed to amend non-essential elements of a basic instrument adopted in accordance with the codecision procedure, including by deleting some of those elements or by supplementing the instrument by the addition of new non-essential elements.

In a joint statement, the Parliament, the Council and the Commission listed a number of basic instruments that should be adapted to the amended Decision as a matter of urgency in order to incorporate the regulatory procedure with scrutiny (priority alignment). The Commission presented all the proposals regarding priority alignment in December 2006. These were examined and adopted by the Parliament and the Council.

For the PRAC to be applicable to the other instruments adopted under the codecision procedure that were already in force at the time Decision 2006 /512/EC came into effect, the joint statement also called for these instruments to be adjusted in accordance with the applicable procedures (general alignment).

The Commission decided to carry out the alignment by means of proposals for 'omnibus' Regulations. The Commission adopted the first three proposals on 23 November (see COD/2007/0262) and 19 December 2007 (see COD/2007/0282 and COD/2007/0293). It adopted the last of the proposals on 11 February 2008 (see COD/2008/0032).

On 23 September 2008, the European Parliament adopted a resolution with recommendations to the Commission on the alignment of legal acts to the new Comitology Decision. In the resolution, the Parliament called on the Commission to present it with new legislative proposals to complete the general alignment. To this end, it provided the Commission with a list of 14 instruments which it deemed to require adaptation to the new Comitology Procedure but which were not covered by the Commission Communication of 23 November 2007.

The Commission looked particularly closely at the 14 instruments to which its attention was drawn in the Parliament's resolution. All provisions in these basic instruments that delegate implementing powers to the Commission were carefully examined. On the basis of this examination, the Commission does not deem it necessary to present proposals for all these basic instruments. In the Commission's view, 12 of the instruments do not require adaptation to the new Comitology Procedure.

However, the Commission acknowledges, with the European Parliament, that **two basic instruments** contain a number of provisions which do have to be adapted to the regulatory procedure with scrutiny:

- Directive 2000/15/EC amending Council Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine.

- Regulation (EC) No 1760/2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97.

The purpose of the present proposal is to adapt these two basic instruments to the regulatory procedure with scrutiny.