Basic information

2010/0365(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure lapsed or withdrawn
Common agricultural policy CAP: financing; alignment of the Regulation with the TFEU (Commission delegated and implementing powers) **Subject** 3.10.13 European Agricultural Guidance and Guarantee Fund, EAGGF and EAGF 8.50.01 Implementation of EU law	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	AGRI Agriculture and Rural Development	LA VIA Giovanni (PPE)	26/01/2011
		Shadow rapporteur OLEJNICZAK Wojciech Michał (S&D) PAULSEN Marit (ALDE)	
Council of the European Union			
European Commission	**Commission DG**	**Commissioner**	
	Regional and Urban Policy	CIOLOŞ Dacian	

Key events

Date	Event	Reference	Summary
15/12/2010	Legislative proposal published	COM(2010)0745	Summary
18/01/2011	Committee referral announced in Parliament, 1st reading		
25/05/2011	Vote in committee, 1st reading		
31/05/2011	Committee report tabled for plenary, 1st reading	A7-0209/2011	Summary
03/07/2012	Debate in Parliament		
04/07/2012	Decision by Parliament, 1st reading	T7-0281/2012	Summary
04/07/2012	Results of vote in Parliament		

07/03/2015	Proposal withdrawn by Commission		

Technical information

Procedure reference	2010/0365(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 042-p1 Treaty on the Functioning of the European Union TFEU 043-p2
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	AGRI/7/04887

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE460.654	24/03/2011	
Amendments tabled in committee		PE464.752	05/05/2011	
Committee report tabled for plenary, 1st reading/single reading		A7-0209/2011	31/05/2011	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0281/2012	04/07/2012	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2010)0745	15/12/2010	Summary

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2010)0745	14/02/2011	
Contribution	RO_SENATE	COM(2010)0745	16/02/2011	
Contribution	IT_SENATE	COM(2010)0745	09/03/2011	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0814/2011	04/05/2011	

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

Common agricultural policy CAP: financing; alignment of the Regulation with the TFEU (Commission delegated and implementing powers)

2010/0365(COD) - 31/05/2011 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Agriculture and Rural Development adopted the report drafted by Giovanni LA VIA (EPP, IT) on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1290/2005 on the financing of the common agricultural policy and repealing Council Regulation (EC) No 165/94 and Council Regulation (EC) No 78/2008.

It recommends that the European Parliament's position adopted at first reading, under the ordinary legislative procedure, should amend the Commission proposal as follows:

Delegated and implementing powers of the Commission: the amendments introduced by the MEPs aim to take into account:

- the "Common Understanding" on practical arrangements for the use of delegated acts (Article 290 TFUE) to be formally agreed on by the Council and the Parliament;
- the "Regulation on implementing powers"(Regulation (EC) No 182/2011 of the European Parliament and the Council laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers).

The power to adopt the **delegated acts is conferred on the Commission subject to certain conditions**. The delegation of power shall be conferred on the Commission for a period of five years from the date of entry into force of this Regulation. A delegated act shall enter into force only if no objection has been expressed either by the Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council. That period shall be extended by two months at the initiative of the European Parliament or the Council.

Automatically decommitted: an amendment stipulates that for Member States which have opted to organise their rural development programmes on a regional basis, the calculation of the amount to be automatically decommitted may be made at the level of the Member State.

Common agricultural policy CAP: financing; alignment of the Regulation with the TFEU (Commission delegated and implementing powers)

2010/0365(COD) - 15/12/2010 - Legislative proposal

PURPOSE: to align the powers conferred under Regulation (EC) No 1290/2005 upon the Commission with Articles 290 (Delegated acts) and 291 (Implementing acts) of the Treaty on the Functioning of the European Union.

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

LEGAL BASE: first subparagraph of Article 42 and Article 43(2) of the Treaty on the Functioning of the European Union (TFEU).

IMPACT ASSESSMENT: there was no need for consultation of interested parties or for an impact analysis since the proposal to align Council Regulation (EC) No 1290/2005 with the TFEU is an interinstitutional matter that will concern all Council Regulations. The amendments aiming at simplification of recovery procedures are of limited scope and purely technical nature.

CONTENT: Council Regulation (EC) No 1290/2005 on the financing of the common agricultural policy and repealing Council Regulation (EC) No 165 /94 and Council Regulation (EC) No 78/2008 confer competence on the Commission to adopt detailed rules for the application of that Regulation.

As a consequence of the entry into force of the Lisbon Treaty, the powers conferred under Regulation (EC) No 1290/2005 upon the Commission need to be aligned with Articles 290 and 291 of the Treaty on the Functioning of the European Union.

To this end, the aim of this proposal is to identify the delegated and implementing powers of the Commission in Council Regulation (EC) No 1290/2005 and establish the corresponding procedure for the adoption of these acts (alignment of the regulation with the Treaty of Lisbon).

In addition, some simplifications are introduced relating to EAGF expenditure and recovery procedures.

BUDGETARY IMPLICATION: this proposal has no implication for the EU budget.

Common agricultural policy CAP: financing; alignment of the Regulation with the TFEU (Commission delegated and implementing powers)

2010/0365(COD) - 04/07/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 650 votes to 24, with 14 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1290/2005 on the financing of the common agricultural policy and repealing Council Regulation (EC) No 165/94 and Council Regulation (EC) No 78/2008.

Parliament's position adopted at first reading, under the ordinary legislative procedure, amends the Commission proposal as follows:

Delegated and implementing powers of the Commission: the amendments introduced by the MEPs aim to take into account:

- the "Common Understanding" on practical arrangements for the use of delegated acts (Article 290 TFUE) to be formally agreed on by the Council and the Parliament;
- the "Regulation on implementing powers"(Regulation (EC) No 182/2011 of the European Parliament and the Council laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers).

The power to adopt the **delegated acts is conferred on the Commission subject to certain conditions**. The delegation of power shall be conferred on the Commission for a period of five years from the date of entry into force of this Regulation. A delegated act shall enter into force only if no objection has been expressed either by the Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council. That period shall be extended by two months at the initiative of the European Parliament or the Council.

Automatically decommitted: an amendment stipulates that for Member States which have opted to organise their rural development programmes on a regional basis, the calculation of the amount to be automatically decommitted may be made at the level of the Member State.