Basic information

2010/0366(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure lapsed or withdrawn
European Agricultural Guarantee Fund EAGF: scrutiny by Member States of financing transactions **Subject** 3.10.13 European Agricultural Guidance and Guarantee Fund, EAGGF and EAGF	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AGRI Agriculture and Rural Development	CAPOULAS SANTOS Luis Manuel (S&D)	26/01/2011
	Shadow rapporteur KÖSTINGER Elisabeth (PPE) PAULSEN Marit (ALDE) HÄUSLING Martin (Verts/ALE) NICHOLSON James (ECR) RUBIKS Alfreds (GUE/NGL)	

Council of the European Union

European Commission

Commission DG	Commissioner
Regional and Urban Policy	CIOLOŞ Dacian

Key events

Date	Event	Reference	Summary
17/12/2010	Legislative proposal published	COM(2010)0761	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	A7-0204/2011	Summary

03/07/2012	Debate in Parliament		
04/07/2012	Decision by Parliament, 1st reading	T7-0283/2012	Summary
04/07/2012	Results of vote in Parliament		
07/03/2015	Proposal withdrawn by Commission		

Technical information

Procedure reference	2010/0366(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Stage reached in procedure	Procedure lapsed or withdrawn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/7/04953

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE458.833	08/03/2011	
Committee report tabled for plenary, 1st reading/single reading		A7-0204/2011	31/05/2011	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0283/2012	04/07/2012	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2010)0761	17/12/2010	Summary

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2010)0761	09/02/2011	
Contribution	RO_SENATE	COM(2010)0761	16/02/2011	
Contribution	IT_SENATE	COM(2010)0761	09/03/2011	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0815/2011	04/05/2011	

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

European Agricultural Guarantee Fund EAGF: scrutiny by Member States of financing transactions

2010/0366(COD) - 31/05/2011 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Agriculture and Rural Development adopted the report by Luis Manuel CAPOULAS SANTOS (S&D, PT) on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 485/2008 on scrutiny by Member States of transactions forming part of the system of financing by the European Agricultural Guarantee Fund.

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.

Scope: according to the report, this Regulation shall not apply to measures covered by the integrated administration and control system falling within Council Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers.

European Agricultural Guarantee Fund EAGF: scrutiny by Member States of financing transactions

2010/0366(COD) - 17/12/2010 - Legislative proposal

PURPOSE: to align the powers conferred under Council Regulation (EC) No 485/2008 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 485/2008 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 485/2008 on scrutiny by Member States of transactions forming part of the system of financing by the European Agricultural Guarantee Fund confers 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 485/2008 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 485/2008 and establish the corresponding procedure for the adoption of these acts (alignment of the regulation with the Treaty of Lisbon).

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

European Agricultural Guarantee Fund EAGF: scrutiny by Member States of financing transactions

2010/0366(COD) - 04/07/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 654 votes to 21, with 15 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 485/2008 on scrutiny by Member States of transactions forming part of the system of financing by the European Agricultural Guarantee Fund.

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.

Scope: according to the Parliament, this Regulation shall not apply to measures covered by the integrated administration and control system falling within Council Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers.