Basic information

2011/0039(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Common commercial policy: aligning certain acts with the TFEU; procedures for the adoption of certain measures Amending Regulation (EC) No 3286/94 1994/0233(CNS) Amending Regulation (EC) No 385/96 1995/0258(CNS) Amending Regulation (EC) No 2271/96 1996/0217(CNS) **Subject** 6.20 Common commercial policy in general 8.50.01 Implementation of EU law	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
INTA International Trade	QUISTHOUDT-ROWOHL Godelieve (PPE)	12/04/2011
	Shadow rapporteur MOREIRA Vital (S&D) KOCH-MEHRIN Silvana (ALDE) JADOT Yannick (Verts/ALE)	

Former committee responsible	Former rapporteur	Appointed
INTA International Trade	QUISTHOUDT-ROWOHL Godelieve (PPE)	12/04/2011

Former committee for opinion	Former rapporteur for opinion	Appointed
JURI Legal Affairs	The committee decided not to give an opinion.	22/03/2011

Council of the European Union

Council configuration	Meetings	Date
Foreign Affairs	3203	2012-11-29
Economic and Financial Affairs ECOFIN	3271	2013-11-15
Agriculture and Fisheries	3257	2013-09-23

European Commission	Commission DG	Commissioner
	Trade and Economic Security	DE GUCHT Karel

Key events

Date	Event	Reference	Summary
07/03/2011	Legislative proposal published	COM(2011)0082	Summary
10/03/2011	Committee referral announced in Parliament, 1st reading		
26/01/2012	Vote in committee, 1st reading		
03/02/2012	Committee report tabled for plenary, 1st reading	A7-0028/2012	Summary
13/03/2012	Debate in Parliament		
14/03/2012	Decision by Parliament, 1st reading	T7-0076/2012	Summary
14/03/2012	Results of vote in Parliament		
29/11/2012	Debate in Council		
15/11/2013	Council position published	13283/1/2013	Summary
21/11/2013	Committee referral announced in Parliament, 2nd reading		
28/11/2013	Vote in committee, 2nd reading		
02/12/2013	Committee recommendation tabled for plenary, 2nd reading	A7-0421/2013	Summary
11/12/2013	Debate in Parliament		
12/12/2013	Decision by Parliament, 2nd reading	T7-0585/2013	Summary
12/12/2013	Results of vote in Parliament		
15/01/2014	Final act signed		
15/01/2014	End of procedure in Parliament		
21/01/2014	Final act published in Official Journal		

Technical information

Procedure reference	2011/0039(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation (EC) No 3286/94 1994/0233(CNS) Amending Regulation (EC) No 385/96 1995/0258(CNS) Amending Regulation (EC) No 2271/96 1996/0217(CNS)
Legal basis	Treaty on the Functioning of the European Union TFEU 207

Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	INTA/7/13349

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE469.996	15/11/2011	
Amendments tabled in committee		PE478.430	12/12/2011	
Committee report tabled for plenary, 1st reading/single reading		A7-0028/2012	03/02/2012	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0076/2012	14/03/2012	Summary
Committee draft report		PE522.780	08/11/2013	
Committee recommendation tabled for plenary, 2nd reading		A7-0421/2013	02/12/2013	Summary
Text adopted by Parliament, 2nd reading		T7-0585/2013	12/12/2013	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	13283/1/2013	15/11/2013	Summary
Draft final act	00145/2013/LEX	15/01/2014	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2011)0082	07/03/2011	Summary
Commission response to text adopted in plenary	SP(2012)323	02/05/2012	
Commission communication on Council's position	COM(2013)0789	18/11/2013	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	
European Commission	EUR-Lex	

Final act

Regulation 2014/0037
OJ L 018 21.01.2014, p. 0001

Common commercial policy: aligning certain acts with the TFEU; procedures for the adoption of certain measures

2011/0039(COD) - 18/11/2013 - Commission communication on Council's position

The Commission can accept the amendments made by the Council to its proposal.

The position of the Council at first reading is consistent with the result of the last trialogue between the European Parliament and the Council which was held on 5 June 2013 and then confirmed by the two institutions at the level of Coreper and the European Parliament's International Trade Committee in July 2013.

The proposal reflects the evolution of the legal framework and the institutional balance established by the entry into force of the Treaty of Lisbon. It aligns the regulations it contains on the provisions of Articles 290 (delegated acts) and 291 (implementing acts) of the TFEU and Regulation (EU) No 182/2011 of the European Parliament and Council laying down the rules and general principles concerning mechanisms for control by Member States for the exercise of implementing powers by the Commission.

According to the Commission, aligning the procedures on common procedures should aid understanding of the procedures applicable in trade policy and the transparency provisions of the horizontal regulation should enhance the overall transparency of trade policy.

Common commercial policy: aligning certain acts with the TFEU; procedures for the adoption of certain measures

2011/0039(COD) - 15/11/2013 - Council position

The Council has adopted its position at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council amending certain regulations relating to the common commercial policy as regards the procedures for the adoption of certain measures ("Trade Omnibus Act I").

The Trade Omnibus Act I amends certain regulations relating to the common commercial policy as regards procedures where the Council was involved in decision-making process, which were not based on Council Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission (former comitology).

It proposes that such procedures be **converted into either delegated acts or implementing acts** pursuant to Articles 290 and 291of the Treaty on the Functioning of the European Union (TFEU). This should be done, where appropriate, by applying relevant procedures set out in Regulation (EU) No 182/2011 of the European Parliament and the Council.

The position of the Council at first reading **reflects the compromise reached by the Council and the Parliament during the negotiations**, with the help of the Commission.

The main issues concerned the **modifications introduced to the basic Anti-dumping and basic Countervailing regulations** contained in Trade Omnibus Act I proposal (Regulations (EC) No 1225/2009 and (EC) No 597/2009 respectively):

- the overall time of investigations;
- the introduction of an "info +" mechanism, where consultations have been deleted;
- the Union interest test.
- For the other elements of the Trade Omnibus Act I package, the key issues for modification were: the use of the written procedure;
- the use of the urgency procedure;
- the choice between advisory or examination procedure: the advisory procedure is retained for provisional and/or preparatory measures, while the examination procedure is retained;
- for definitive measures;
- scope of the regulations.

A significant number of issues contained in the proposal also figure in the Trade Omnibus Act II. In order to achieve a consistent result, it was decided to conduct the negotiations on the two files in parallel.

The Chair of the European Parliament's International Trade Committee has indicated in a letter to the COREPER Chair that, should the Council transmit formally to the Parliament its position in the form as it stands in the annex to that letter, he would recommend to the Plenary that the Council's position be accepted without amendment, subject to legal-linguistic verification, at the Parliament's second reading.

Common commercial policy: aligning certain acts with the TFEU; procedures for the adoption of certain measures

2011/0039(COD) - 12/12/2013 - Text adopted by Parliament, 2nd reading

The European Parliament **adopted without amendment the Council position at first reading** with a view to the adoption of a regulation of the European Parliament and of the Council amending certain regulations relating to the common commercial policy as regards the procedures for the adoption of certain measures.

Parliament also approved the joint statement by Parliament, the Council and the Commission on Article 15(6) of Regulation (EC) No 1225/2009 and Article 25(6) of Regulation (EC) No 597/2009. The three institutions declared that the inclusion of these articles is exceptional to those two Regulations and is not a precedent for the drafting of future legislation.

For the sake of clarity, the European Parliament, the Council and the Commission understand that Article 15(6) of Regulation (EC) No 1225/2009 and Article 25(6) of Regulation (EC) No 597/2009 do not introduce decision-making procedures different from or additional to those provided for in Regulation (EU) No 182/2011 (Commission's implementing powers).

The annex to the legislative resolution contains in addition:

- **a Member States' statement** on the application of Articles 3(4) and 6(2) of Regulation (EU) No 182/2011 in connection with anti-dumping and countervailing duty proceedings pursuant to Regulations (EC) No 1225/2009 and (EC) No 597/2009;
- **a Commission statement in connection with anti-dumping and countervailing duty proceedings**: the Commission recognises the importance of Member States receiving information where provided for in Regulations (EC) No 1225/2009 and (EC) No 597/2009 (the 'Basic Regulations') such as to enable them to contribute to fully informed decisions, and it will act to achieve that objective;
- **a Commission Statement on delegated acts**: the Commission recalls the commitment it has made in paragraph 15 of the Framework Agreement on relations between the European Parliament and the European Commission to provide to the Parliament full information and documentation on its meetings with national experts within the framework of its work on the preparation of delegated acts.

Common commercial policy: aligning certain acts with the TFEU; procedures for the adoption of certain measures

2011/0039(COD) - 02/12/2013 - Committee recommendation tabled for plenary, 2nd reading

The Committee on International Trade adopted the recommendation for a second reading contained in the report by Godelieve QUISTHOUDT-ROWOHL (EPP, DE), and approved, without amendment, the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council amending certain regulations relating to the common commercial policy as regards the procedures for the adoption of certain measures.

The committee also recommended that Parliament takes note of Member States' statement on the application of Articles 3(4) and 6(2) of Regulation (EU) No 182/2011 in connection with anti-dumping and countervailing duty proceedings pursuant to Regulations (EC) No 1225/2009 and (EC) No 597 /2009, and of the Commission statements in connection with anti-dumping and countervailing duty proceedings, and on codification and delegated acts.

Common commercial policy: aligning certain acts with the TFEU; procedures for the adoption of certain measures

2011/0039(COD) - 15/01/2014 - Final act

PURPOSE: to amend certain regulations relating to the common commercial policy with a view to adapting them to the decision-making procedures provided for in the Lisbon Treaty, which entered into force in December 2009 (delegated and implementing powers of the Commission) – "Omnibus I".

LEGISLATIVE ACT: Regulation (EU) No 37/2014 of the European Parliament and of the Council amending certain regulations relating to the common commercial policy as regards the procedures for the adoption of certain measures.

CONTENT: the regulation seeks to adapt a certain number of regulations adopted between 1972 and 2009 in the area of trade policy to the new system of delegated acts (Article 290 of the TFEU) and implementing acts (Article 291 of the TFEU).

Two aligning proposals known as Omnibus I and Omnibus II each bring together in a single instrument the underlying trade regulations that needed to be updated: **Omnibus I mainly covers implementing acts** and Omnibus II mainly delegated acts.

Implementing powers: this regulation (Omnibus I) brings about the necessary changes to the underlying texts and specifies what procedures should apply, in particular the choice between the advisory procedure and the examination procedure.

When reference is made to the adoption of delegated acts, the regulation stipulates that the power to adopt such acts is given to the Commission for a period of **five years** (that may be tacitly extended for periods of the same duration) with effect from 20 February 2014. The European Parliament or the Council may raise objections to a delegated act within a period of two months from the date of its notification (this period may be extended by a further period of two months). If the European Parliament or the Council make objections, the delegated act does not enter into force.

The regulation contains a **statement by the Commission** recalling that it has undertaken, under the terms of the Framework Agreement on relations between the European Parliament and the European Commission, to provide to the Parliament full information and documentation on its meetings with national experts within the framework of its work on the preparation of delegated acts.

The regulation does not concern procedures for the adoption of measures that were initiated but not been completed before its entry into force.

ENTRY INTO FORCE: 20.02.2014.

Common commercial policy: aligning certain acts with the TFEU; procedures for the adoption of certain measures

2011/0039(COD) - 07/03/2011 - Legislative proposal

PURPOSE: to amend certain regulations relating to the common commercial policy as regards the procedures for the adoption of certain measures to reflect the changes in the legal framework and institutional balance brought about by the entry into force of the Lisbon Treaty.

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

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASIS: Article 207 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: **a number of basic regulations relating to the common commercial policy** provide that acts implementing the common commercial policy are to be adopted by the Council according to procedures set down in the various instruments concerned or by the Commission subject to specific procedures and control by the Council. Such procedures are not subject to Council Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission (comitology).

It is appropriate to amend those regulations in order to ensure consistency with the provisions introduced by the Treaty of Lisbon which has led to significant changes both in the framework for the adoption of delegated and implementing acts and for the conduct of trade policy. This should be done, where appropriate, through the granting of delegated powers to the Commission and by applying certain procedures set out in Regulation of the European Parliament and of the Council laying down the rules and general principles concerning mechanisms for control by Member States.

One of the key objectives of the abovementioned regulation, proposed by the Commission in March 2009, is to provide that the control of the Commission's exercise of its implementing powers is conducted not by the Council or the European Parliament but by the Member States as is required by Article 291 of the Treaty. In the proposal, this is achieved by the creation of procedures (the advisory and examination procedures) whereby the Commission's implementing acts are subject to control by the Member States combined with an automatic alignment of existing procedures established under Council Decision 1999/468/EC.

The current proposal addresses procedures for the control or adoption of acts in **twenty four basic acts** in the field of the common commercial policy not previously subject to Council Decision 1999/468/EC. Aligning the control of the Commission's exercise of implementing powers on the Regulation on the rules and general principles concerning mechanisms for control by Member States of the Commission’s exercise of implementing powers will bring additional advantages. In particular, it will permit a more effective and efficient exercise of the Commission's implementing powers and so contribute to a more effective and efficient common commercial policy.

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

Common commercial policy: aligning certain acts with the TFEU; procedures for the adoption of certain measures

2011/0039(COD) - 03/02/2012 - Committee report tabled for plenary, 1st reading/single reading

The Committee on International Trade adopted the report by Godelieve QUISTHOUDT-ROWOHL (EPP, DE) on the proposal for a regulation of the European Parliament and of the Council amending certain regulations relating to the common commercial policy as regards the procedures for the adoption of certain measures.

The committee recommended that the European Parliament’s position in first reading following the ordinary legislative procedure should amend the Commission proposal as follows:

Addition of two Regulations to the proposal under consideration: whilst the Commission proposal is confined to the amendment of 24 regulations, this report adds two further regulations, these being **Council Regulation (EC) No 3448/93** laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products, and **Council Regulation (EC) No 1236/2005** concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment.

The legal basis of these two regulations is Article 207 TFEU (ex Article 133 EC.) Its objectives focus on common commercial policy matters. Both regulations include provisions that provide the Commission, the Council and the Member States with implementing powers that should be aligned to the provisions of Articles 290 (delegated acts) and 291 TFUE as well as of Regulation (EU) No 182/2011.

Examination procedure or advisory procedure: the report confirms the Commission proposal to use the examination procedure in the application of implementing provisions in the vast majority of cases. Members consider that that the examination procedure is the appropriate procedure particularly where final anti-dumping, anti-subsidy and safeguard measures are concerned. This is already implied by the provisions of Regulation (EU) No 182 /2011. In a departure from the Commission proposal, however, **the report recommends using the advisory procedure** in all cases where the Commission must consult Member States before taking a decision but in which the protracted decision-making involved in the examination procedure is an obstacle to arriving at a decision. This is the case with **provisional safeguard measures, surveillance measures and suspension measures** as part of trade policy defence instruments, when a quick, effective response from the Commission is called for.

In urgent cases, where temporary safeguard measures are adopted, **in addition to using the advisory procedure there must be provision for immediate measures to be adopted by means of implementing provisions that are immediately applicable.**

Written procedure: in accordance with Regulation (EU) n° 182/2011, the chair of an advisory or examination committee can order a written procedure in simple cases. The Regulation lays down that, except as otherwise provided, the written procedure may not be applied if a Member State objects. The report contains a different rule for all the regulations with which it is concerned. It stipulates that **the written procedure is to be terminated only if a qualified majority of Member States calls for this**. The report also contains an explicit reference to the written procedure, in order to encourage its use, in simple cases such as the termination of the procedure.

Delegated acts: the report confirms the introduction of delegated acts in all the fields proposed by the Commission. In addition, it provides for their application in the following regulations:

- Council Regulation (EC) No 3448/93 concerning trade arrangements applicable to certain goods resulting from the processing of agricultural products;
- Council Regulation (EC) No 427/2003 on a transitional product-specific safeguard mechanism for imports originating in the People's Republic of China and amending Regulation (EC) No 519/94 on common rules for imports from certain third countries;
- Council Regulation (EC° No 1236/2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment;
- Council Regulation (EC) No 732/2008 of 22 July 2008 applying a scheme of generalised tariff preferences for the period from 1 January 2009 to 31 December 2011 and amending Regulations (EC) No 552/97, (EC) No 1933/2006 and Commission Regulations (EC) No 1100 /2006 and (EC) No 964/2007.

The report recommends the use of delegated acts in these regulations for the following purposes: (a) to amend or adapt one or more annexes to the regulation concerned, and (b) to adopt detailed provisions for the specific implementation of individual articles.

The special case of the Generalised System of Preferences (GSP): the GSP constitutes a special case in this report. The use of delegated acts and implementing provisions was already debated between the end of 2010 and beginning of 2011 in connection with Regulation (EU) No 512/2011 of the European Parliament and of the Council amending Council Regulation (EC) No 732/2008 applying a scheme of generalised tariff preferences for the period from 1 January 2009 to 31 December 2011. The report consistently takes up all the European Parliament's demands of March 2011.

More specifically, Members lay down **rules on delegated acts in the following cases**: (i) granting of special incentive arrangements for sustainable development and good governance; (ii) adoption of rules on the reduction of the Common Customs Tariff duties on the products of tariff heading 1701 and the abolition of the Common Customs Tariff duties on the products of tariff headings 1006 and 1701; (iii) deletion of a country from Annex I and amendment of all annexes on account of changes in the international status or classification of countries or territories, on account of the attainment in a country of the threshold values set or on account of the establishment of a final list of beneficiary countries.

Consultation procedures (anti-dumping and anti-subsidy): with regard to anti-dumping and anti-subsidy measures, rather than consultations when the procedure is initiated, the report requires the Commission to inform Member States and makes it possible for Member States to indicate their positions at an early stage. In none of the cases in question does the report replace the previous consultation procedures with an advisory procedure.

Time limits in the anti-dumping and anti-subsidy procedures: the Commission proposal provides for a possible extension of the deadlines for completing anti-dumping and anti-subsidy procedures to be incorporated in the anti-dumping and anti-subsidy regulation. Hitherto, a time limit of 15 months has applied to anti-dumping procedures and 13 months to anti-subsidy procedures. The Commission proposal now permits the time limits to be extended to a maximum of 18 months. This is also the maximum permitted under WTO rules.

The report contains the following amendments:

- the abolition of the consultation procedures makes it possible to reduce the regulatory procedure to **14 months** in anti-dumping cases and **12 months** in anti-subsidy cases;

- if, after the examination procedure has been completed without result, a decision is needed from the appeal committee, it must be possible to extend the time limit to **15 months** in anti-dumping cases and **13 months** in anti-subsidy cases, since otherwise it would be impossible to comply with the time limits;

- extensions of time limits should be possible **only where the appeal committee is asked** for a decision. It is therefore up to the Member States to indicate at an early stage in the procedure whether or not it will be necessary to seek a decision from the appeal committee.

Reports: in most of the regulations in question, the report recommends requiring the Commission to report to the European Parliament and to the public. All information that is not confidential must be set out in an annual or biennial report and published. This is necessary in order to supply information about fields which have been placed beyond the immediate reach of the European Parliament and hence of the public by adopting implementing provisions, thus facilitating scrutiny in accordance with Article 11 of Regulation (EU) No 182/2011.

Common commercial policy: aligning certain acts with the TFEU; procedures for the adoption of certain measures

2011/0039(COD) - 14/03/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 587 votes to 24, with 61 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending certain regulations relating to the common commercial policy as regards the procedures for the adoption of certain measures.

Parliament adopted its position at first reading under the ordinary legislative procedure amending the Commission proposal as follows:

Addition of two Regulations to the proposal under consideration: whilst the Commission proposal is confined to the amendment of 24 regulations, this resolution adds two further regulations, these being **Council Regulation (EC) No 3448/93** laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products, and **Council Regulation (EC) No 1236/2005** concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment.

The legal basis of these two regulations is Article 207 TFEU (ex Article 133 EC.) Its objectives focus on common commercial policy matters. Both regulations include provisions that provide the Commission, the Council and the Member States with implementing powers that should be aligned to the provisions of Articles 290 (delegated acts) and 291 TFUE as well as of Regulation (EU) No 182/2011.

On the other hand, Parliament proposes to **delete the reference to Council Regulation (EC) No 1215/2009** introducing exceptional trade measures for countries and territories participating in or linked to the European Union's Stabilisation and Association process. This Regulation was aligned with the requirements contained in Articles 290 and 291 within the Regulation of the European Parliament and Council amending Regulation (EC) No 1215 /2009.

Examination procedure or advisory procedure: the resolution confirms the Commission proposal to use the examination procedure in the application of implementing provisions in the vast majority of cases. Members consider that that the examination procedure is the appropriate procedure particularly where final anti-dumping, anti-subsidy and safeguard measures are concerned. This is already implied by the provisions of Regulation (EU) No 182 /2011. In a departure from the Commission proposal, however, **the report recommends using the advisory procedure** in all cases where the Commission must consult Member States before taking a decision but in which the protracted decision-making involved in the examination procedure is an obstacle to arriving at a decision. This is the case with **provisional safeguard measures, surveillance measures and suspension measures** as part of trade policy defence instruments, when a quick, effective response from the Commission is called for.

In urgent cases, where temporary safeguard measures are adopted, **in addition to using the advisory procedure there must be provision for immediate measures to be adopted by means of implementing provisions that are immediately applicable.**

Written procedure: in accordance with Regulation (EU) n° 182/2011, the chair of an advisory or examination committee can order a written procedure in simple cases. The Regulation lays down that, except as otherwise provided, the written procedure may not be applied if a Member State objects. The resolution contains a different rule for all the regulations with which it is concerned. It stipulates that **the written procedure is to be terminated only if a qualified majority of Member States calls for this**. The resolution also contains an explicit reference to the written procedure, in order to encourage its use, in simple cases such as the termination of the procedure.

Delegated acts: Parliament confirms the introduction of delegated acts in all the fields proposed by the Commission. In addition, it provides for their application in the following regulations:

· Council Regulation (EC) No 3448/93 concerning trade arrangements applicable to certain goods resulting from the processing of agricultural products;

· Council Regulation (EC) No 427/2003 on a transitional product-specific safeguard mechanism for imports originating in the People's Republic of China and amending Regulation (EC) No 519/94 on common rules for imports from certain third countries;

- Council Regulation (EC° No 1236/2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment;

· Council Regulation (EC) No 732/2008 of 22 July 2008 applying a scheme of generalised tariff preferences for the period from 1 January 2009 to 31 December 2011 and amending Regulations (EC) No 552/97, (EC) No 1933/2006 and Commission Regulations (EC) No 1100 /2006 and (EC) No 964/2007.

The resolution recommends the use of delegated acts in these regulations for the following purposes: (a) to amend or adapt one or more annexes to the regulation concerned, and (b) to adopt detailed provisions for the specific implementation of individual articles.

The special case of the Generalised System of Preferences (GSP): the GSP constitutes a special case in this resolution. The use of delegated acts and implementing provisions was already debated between the end of 2010 and beginning of 2011 in connection with Regulation (EU) No 512/2011 of the European Parliament and of the Council amending Council Regulation (EC) No 732/2008 applying a scheme of generalised tariff preferences for the period from 1 January 2009 to 31 December 2011. The resolution consistently takes up all the European Parliament's demands of March 2011.

More specifically, Members lay down **rules on delegated acts in the following cases**: (i) granting of special incentive arrangements for sustainable development and good governance; (ii) adoption of rules on the reduction of the Common Customs Tariff duties on the products of tariff heading 1701 and the abolition of the Common Customs Tariff duties on the products of tariff headings 1006 and 1701; (iii) deletion of a country from Annex I and amendment of all annexes on account of changes in the international status or classification of countries or territories, on account of the attainment in a country of the threshold values set or on account of the establishment of a final list of beneficiary countries.

Consultation procedures (anti-dumping and anti-subsidy): with regard to anti-dumping and anti-subsidy measures, rather than consultations when the procedure is initiated, the report requires the Commission to inform Member States and makes it possible for Member States to indicate their positions at an early stage. In none of the cases in question does the report replace the previous consultation procedures with an advisory procedure.

Time limits in the anti-dumping and anti-subsidy procedures: the Commission proposal provides for a possible extension of the deadlines for completing anti-dumping and anti-subsidy procedures to be incorporated in the anti-dumping and anti-subsidy regulation. Hitherto, a time limit of 15 months has applied to anti-dumping procedures and 13 months to anti-subsidy procedures. The Commission proposal now permits the time limits to be extended to a maximum of 18 months. This is also the maximum permitted under WTO rules.

The report contains the following amendments:

- the abolition of the consultation procedures makes it possible to reduce the regulatory procedure to **14 months** in anti-dumping cases and **12 months** in anti-subsidy cases;
- if, after the examination procedure has been completed without result, a decision is needed from the appeal committee, it must be possible to extend the time limit to **15 months** in anti-dumping cases and **13 months** in anti-subsidy cases, since otherwise it would be impossible to comply with the time limits;
- extensions of time limits should be possible **only where the appeal committee is asked** for a decision. It is therefore up to the Member States to indicate at an early stage in the procedure whether or not it will be necessary to seek a decision from the appeal committee.

Reports: in most of the regulations in question, Parliament recommends requiring the Commission to report to the European Parliament and to the public. All information that is not confidential must be set out in an annual or biennial report and published. This is necessary in order to supply information about fields which have been placed beyond the immediate reach of the European Parliament and hence of the public by adopting implementing provisions, thus facilitating scrutiny in accordance with Article 11 of Regulation (EU) No 182/2011.