Basic information

2012/0343(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Agricultural and fishery statistics: aligning certain legislative acts with the TFEU (Commission delegated and implementing powers) Amending Directive 96/16/EC 1995/0234(CNS) Amending Regulation (EC) No 138/2004 2003/0023(COD) Amending Regulation (EC) No 1921/2006 2005/0223(COD) Amending Regulation (EC) No 762/2008 2006/0286(COD) Amending Regulation (EC) No 1165/2008 2007/0051(COD) Amending Regulation (EC) No 216/2009 2007/0260(COD) Amending Regulation (EC) No 217/2009 2007/0264(COD) Amending Regulation (EC) No 218/2009 2007/0268(COD) Amending Regulation (EC) No 543/2009 2008/0079(COD) **Subject** 3.10.30 Agricultural statistics 3.15.06 Fishing industry and statistics, fishery products	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AGRI Agriculture and Rural Development	DE CASTRO Paolo (S&D)	31/01/2013

Committee for opinion	Rapporteur for opinion	Appointed
PECH Fisheries	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Transport, Telecommunications and Energy	3278	2013-12-05

European Commission

Commission DG	Commissioner
Eurostat - European statistics	ŠEMETA Algirdas

Key events

Date	Event	Reference	Summary
05/12/2012	Legislative proposal published	COM(2012)0724	Summary

13/12/2012	Committee referral announced in Parliament, 1st reading		
25/04/2013	Vote in committee, 1st reading		
29/04/2013	Committee report tabled for plenary, 1st reading	A7-0148/2013	Summary
19/11/2013	Decision by Parliament, 1st reading	T7-0465/2013	Summary
19/11/2013	Results of vote in Parliament		
05/12/2013	Act adopted by Council after Parliament's 1st reading		
11/12/2013	Final act signed		
11/12/2013	End of procedure in Parliament		
21/12/2013	Final act published in Official Journal		

Technical information

Procedure reference	2012/0343(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Directive 96/16/EC 1995/0234(CNS) Amending Regulation (EC) No 138/2004 2003/0023(COD) Amending Regulation (EC) No 1921/2006 2005/0223(COD) Amending Regulation (EC) No 762/2008 2006/0286(COD) Amending Regulation (EC) No 1165/2008 2007/0051(COD) Amending Regulation (EC) No 216/2009 2007/0260(COD) Amending Regulation (EC) No 217/2009 2007/0264(COD) Amending Regulation (EC) No 218/2009 2007/0268(COD) Amending Regulation (EC) No 543/2009 2008/0079(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 338-p1
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	AGRI/7/11489

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE506.018	26/02/2013	
Committee report tabled for plenary, 1st reading/single reading		A7-0148/2013	29/04/2013	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0465/2013	19/11/2013	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00086/2013/LEX	11/12/2013	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2012)0724	05/12/2012	Summary
Commission response to text adopted in plenary	SP(2014)87	30/01/2014	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2012)0724	01/02/2013	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Regulation 2013/1350
OJ L 351 21.12.2013, p. 0001 Summary

Agricultural and fishery statistics: aligning certain legislative acts with the TFEU (Commission delegated and implementing powers)

2012/0343(COD) - 05/12/2012 - Legislative proposal

PURPOSE: the amendment of nine legislative acts in the domain of agricultural and fishery statistics with a view to aligning them with the new institutional context (Commission powers in regard to delegated and implementing acts).

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

BACKGROUND: as a consequence of the entry into force of the Treaty on the Functioning of the European Union (TFEU), the powers conferred upon the Commission need to be aligned to Articles 290 and 291 of the TFEU.

The Commission has committed itself, with regard to Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission’s exercise of implementing powers16, to reviewing legislative acts which currently contain references to the regulatory procedure with scrutiny in the light of the criteria laid down in the Treaty.

The overall objective is by the end of Parliament's seventh term (June 2014), to remove all provisions referring to the regulatory procedure with scrutiny from all legislative instruments.

IMPACT ASSESSMENT: the Commission did not undertake an impact assessment.

LEGAL BASIS: Article 338(1) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the aim of this proposal is to modify **nine legislative acts** in the domain of agricultural and fishery statistics in order to align them with the new institutional context. In particular, the aim is to **identify what powers the Commission has** and establish the appropriate procedure for adopting measures on the basis of these powers.

Another aspect of the proposal is the **streamlining of the European Statistical System (ESS)**. It is recalled that the European Statistical System Committee (ESSC), established by Regulation (EC) No 223/2009, is regarded as the umbrella committee within the ESS. It assists the Commission in exercising of its implementing powers in certain statistical domains. These exclude agricultural and fishery statistics where the Commission is assisted by the Standing Committee for Agricultural Statistics (SCAS).

The Commission is proposing a new ESS structure aimed at improving coordination and partnership in a clear pyramid structure within the ESS, with the ESSC as highest strategic body. One aspect of this streamlining is to concentrate comitology powers in the hands of the ESSC.

The suggestion is therefore to modify the nine legislative acts in order to replace the reference to the SCAS by a reference to the ESSC.

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

Agricultural and fishery statistics: aligning certain legislative acts with the TFEU (Commission delegated and implementing powers)

2012/0343(COD) - 29/04/2013 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Agriculture and Rural Development adopted the report by Paolo DE CASTRO (S&D, IT) on the proposal for a regulation of the European Parliament and of the Council amending certain legislative acts in the domain of agricultural and fishery statistics.

The committee recommends that the position of the European Parliament adopted in first reading following the ordinary legislative procedure should amend the Commission proposal. The aim of the Commission proposal is to modify nine legislative acts in the sphere of agricultural and fishery statistics in order to align them to the new institutional context following the entry into force of the Lisbon Treaty.

The Committee suggests nine identical amendments (one for each modified act). It proposes to **limit the delegation of power conferred on the Commission to a period of five years**, tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than 3 months before the end of each period. Members add to the amended wording the standard phrase according to which the Commission will draw up a **report in respect of the delegation of power** not later than nine months before the end of the five-year period.

Agricultural and fishery statistics: aligning certain legislative acts with the TFEU (Commission delegated and implementing powers)

2012/0343(COD) - 19/11/2013 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 667 votes to 23, with 4 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending certain legislative acts in the domain of agricultural and fishery statistics.

Parliament adopted its position at first reading following the ordinary legislative procedure. The amendments adopted in plenary are the result of a compromise negotiated between the European Parliament and of the Council.

The amendments stipulated that the amending Regulation aims to align the existing conferral of powers on the Commission in the legislative acts with the TFEU (delegated acts) and with the new legal framework resulting from the entry into force of Regulation (EU) No 182/2011 (implementing acts), and, where appropriate, to review the scope of those powers.

- **For delegated acts**: the amended Regulation has limited the delegation of power conferred on the Commission for a period of **five years,** which may be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Parliament has added, in these amendments, the standard phrase according to which the Commission should draw up a **report in respect of the delegation of power not later than nine months** before the end of the five-year period.

The amendments stated that the Commission should duly **justify the statistical actions** provided for in those delegated acts, using, where appropriate, input from relevant experts based on a cost-effectiveness analysis.

For certain legislative acts, it is stipulated that those delegated acts shall be adopted only where they are necessary in order to take account of economic and technical developments and that they do not change the optional nature of the required information and they do **not impose a significant additional burden on Member States or on the respondents**.

- **In order to ensure uniform conditions for the implementation** of the legislative acts, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

In this context, the colegislators have amended the legislative acts by replacing the reference to the Standing Committee for Agricultural Statistics (SCAS) set up by Council Decision 72/279/EEC by a reference to the European Statistical System Committee (ESSC) established by Regulation (EC) No 223/2009 of the European Parliament and of the Council. The Commission should continue to confer with experts in agriculture and fisheries statistics before bringing a matter before the ESSC.

- For reasons of legal certainty, it is stated that his Regulation should **not affect** the procedures for the adoption of measures provided for in the legislative acts which have been initiated but which have not been completed before the entry into force of this Regulation.

Agricultural and fishery statistics: aligning certain legislative acts with the TFEU (Commission delegated and implementing powers)

2012/0343(COD) - 11/12/2013 - Final act

PURPOSE: to amend certain legislative acts in the domain of agricultural and fishery statistics with a view to aligning them with the new Commission powers in regard to delegated and implementing acts introduced by the TFEU.

LEGISLATIVE ACT: Regulation (EU) n° 1350/2013 of the European Parliament and of the Council amending certain legislative acts in the field of agricultural and fishery statistics.

CONTENT: the Regulation amends **nine legislative acts in the field of agricultural and fishery statistics** with a view to **aligning them** with the provisions of the Treaty on the Functioning of the European Union.

Because of the new institutional context, the provisions referring to the ‘regulatory procedure with scrutiny’ must be deleted in these legislative acts and replaced by provisions on delegated acts (Article 290(1) TFEU) or implementing acts (article 291(2) TFEU).

Delegated acts: the amending Regulation limits the power to adopt delegated acts conferred on the Commission to a period of **five years from 10 January 2014**, which may be tacitly extended for identical periods, unless the European Parliament or the Council opposes the extension three months before the end of each period. Parliament or Council can raise objections with regard to a delegated act within **two months** from the date of notification (which may be extended by two months.)

For certain legislative acts, it is specified that delegated acts may be adopted **only where they are necessary** in order to take account of economic and technical developments and where they do not change the optional nature of required information and **do not impose a significant additional burden** on Member States or on the respondents.

The Commission shall duly justify the statistical actions provided for in those delegated acts, using, where appropriate, input from relevant experts based on a cost-effectiveness analysis.

Implementing acts: the Regulation confers implementing powers on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

The reference to the Standing Committee for Agricultural Statistics (SCAS) set up by Council Decision 72/279/EEC is replaced by a reference to European Statistical System Committee (ESSC) established by Regulation (EC) No 223/2009 of the European Parliament and of the Council.

It should be noted that the Regulation does not affect the procedures for the adoption of measures provided for in the legislative acts which have been initiated but which have not been completed before its entry into force.

ENTRY INTO FORCE: 10/01/2014.