Basic information

2013/0220(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure lapsed or withdrawn
Aligning a number of legal acts in the area of Justice with the TFEU (Article 290, Commission delegated powers) **Subject** 8.40.10 Interinstitutional relations, subsidiarity, proportionality, comitology 8.50.01 Implementation of EU law	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs	SZÁJER József (PPE)	01/07/2013
	Shadow rapporteur RAPKAY Bernhard (S&D) THEIN Alexandra (ALDE)	

Council of the European Union

European Commission

Commission DG	Commissioner
Secretariat-General	ŠEFČOVIČ Maroš

Key events

Date	Event	Reference	Summary
27/06/2013	Legislative proposal published	COM(2013)0452	Summary
04/07/2013	Committee referral announced in Parliament, 1st reading		
17/12/2013	Vote in committee, 1st reading		
20/12/2013	Committee report tabled for plenary, 1st reading	A7-0480/2013	Summary
25/02/2014	Decision by Parliament, 1st reading	T7-0113/2014	Summary
25/02/2014	Results of vote in Parliament		
07/03/2015	Proposal withdrawn by Commission		

Technical information

Procedure reference	2013/0220(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 081-p2
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	JURI/7/13163

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A7-0480/2013	20/12/2013	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0113/2014	25/02/2014	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2013)0452	27/06/2013	Summary

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	IT_SENATE	COM(2013)0452	09/09/2013	
Contribution	PT_PARLIAMENT	COM(2013)0452	19/09/2013	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Aligning a number of legal acts in the area of Justice with the TFEU (Article 290, Commission delegated powers)

2013/0220(COD) - 27/06/2013 - Legislative proposal

PURPOSE: to align a number of legal acts in the area of Justice to the Treaty on the Functioning of the European Union (Article 290, powers delegated to the Commission).

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

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the Treaty of Lisbon introduced the possibility for the legislator to delegate power to the Commission to adopt non-legislative acts of general application to supplement or amend certain non-essential elements of a legislative act.

The measures which can be covered by delegations of powers, as referred to in Article 290(1) of the Treaty on the Functioning of the European Union (TFEU), correspond in principle to those covered by the regulatory procedure with scrutiny established by Article 5a of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (the Comitology Decision).

It is necessary to adapt to Article 290 of the TFEU a number of legal acts already in force which provide for the use of the regulatory procedure with scrutiny.

IMPACT ASSESSMENT: no impact assessment was undertaken.

LEGAL BASIS: Article 81(2) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: in parallel with the proposal for a Regulation of the European Parliament and of the Council adapting to Article 290 TFEU a number of legal acts providing for the use of the regulatory procedure with scrutiny (RPS), the present proposal concerns the **alignment of five legislative acts in the area of Justice which still refer to the RPS**. Basic acts which are adapted to the delegated acts regime are listed in the annex of the proposal.

Where the legal acts listed in the Annex to this Regulation provide for the use of the regulatory procedure with scrutiny, the Commission shall be empowered to adopt **delegated acts**.

The power to adopt delegated acts shall be conferred on the Commission for an indeterminate period of time.

Adaptation to the delegated act regime will not affect pending procedures in which an opinion has already been delivered by a committee in accordance with the Comitology Decision.

BUDGETARY IMPLICATION: this proposal has no impact on the EU budget.

Aligning a number of legal acts in the area of Justice with the TFEU (Article 290, Commission delegated powers)

2013/0220(COD) - 25/02/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 466 votes to 50 with 13 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council adapting to Article 290 of the Treaty on the Functioning of the European Union a number of legal acts in the area of justice providing for the use of the regulatory procedure with scrutiny (RPS).

To recall, the Commission committed itself to assessing by the end of 2012 how many legislative acts containing **references to the regulatory procedure with scrutiny** remained in force, in order to prepare the appropriate legislative initiatives and thus complete the adaptation to the new legal framework. The stated objective was that, **by the end of the seventh term of Parliament**, all provisions referring to the regulatory procedure with scrutiny would have been removed from all legislative instruments.

The Commission put forward **three proposals** fulfilling this commitment (Please see 2013/0218(COD) and 2013/0365(COD)).

This resolution is related to a proposal covering five legislative acts in the area of Justice that still refer to the RPS.

Parliament adopted its position in first reading following the ordinary legislative procedure amended the proposal. It does not contain amendments to the Commission’s proposal.

Aligning a number of legal acts in the area of Justice with the TFEU (Article 290, Commission delegated powers)

2013/0220(COD) - 20/12/2013 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Legal Affairs adopted the report by József SZÁJER (EPP, HU) on the proposal for a regulation of the European Parliament and of the Council adapting to Article 290 of the Treaty on the Functioning of the European Union a number of legal acts in the area of justice providing for the use of the regulatory procedure with scrutiny (RPS).

At the time of adopting Regulation (EU) No 182/2011 of the European Parliament and of the Council on comitology, the Commission undertook to assess by the end of 2012 the legislative acts containing references to RPS that remained in force, in order to prepare the appropriate legislative initiatives to complete the adaptation to the new legal framework. The overall objective was that, **by the end of the 7th term of the Parliament, all provisions referring to the regulatory procedure with scrutiny would have been removed** from all legislative instruments.

In keeping with that statement and further to the screening of existing legislation, the Commission put forward three proposals for a regulation adapting to Article 290 TFEU a number of legal acts providing for the use of the regulatory procedure with scrutiny (RPS). (Please see 2013/0218(COD) and 2013/0365(COD)).

This report is related to a proposal covering five legislative acts in the area of Justice which still refer to the RPS. The report does not contain amendments.