



Procedure file

Basic information	
INL - Legislative initiative procedure	2008/2096(INL)
Alignment of legal acts to the new Comitology Decision	Procedure completed
Subject	8.40.10 Interinstitutional relations, subsidiarity, proportionality, comitology

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	JURI Legal Affairs	PPE-DE SZÁJER József	06/02/2008
European Commission	Commission DG	Commissioner	
	Secretariat-General	BARROSO José Manuel	

Key events			
24/04/2008	Committee referral announced in Parliament		
09/09/2008	Vote in committee		Summary
15/09/2008	Committee report tabled for plenary	A6-0345/2008	
22/09/2008	Debate in Parliament		
23/09/2008	Results of vote in Parliament		
23/09/2008	Decision by Parliament	T6-0424/2008	Summary
23/09/2008	End of procedure in Parliament		

Technical information	
Procedure reference	2008/2096(INL)
Procedure type	INL - Legislative initiative procedure
Procedure subtype	Request for legislative proposal
Legal basis	Rules of Procedure EP 47
Stage reached in procedure	Procedure completed
Committee dossier	JURI/6/61816

Documentation gateway

Committee draft report		PE406.105	09/06/2008	EP	
Amendments tabled in committee		PE409.589	10/07/2008	EP	
Committee report tabled for plenary, single reading		A6-0345/2008	15/09/2008	EP	
Text adopted by Parliament, single reading		T6-0424/2008	23/09/2008	EP	Summary
Commission response to text adopted in plenary		SP(2008)6073	17/10/2008	EC	
Commission response to text adopted in plenary		SP(2008)6487	29/01/2009	EC	

Alignment of legal acts to the new Comitology Decision

The Committee on Legal Affairs adopted an own initiative report by József SZÁJER (EPP-ED, HU) containing recommendations to the Commission on the alignment of legal acts to the new Comitology Decision.

The report stresses that, for the sake of the quality of legislation, it is increasingly necessary to delegate to the Commission the development of the non-essential and more technical aspects of the legislation as well as its prompt adjustment to take account of technological progress and economic change. Such delegation of powers must be facilitated by giving the legislator the institutional means to scrutinise the exercise of such powers.

MEPs note that the current alignment of the *acquis* with the Comitology Decision is still not complete since there remain legal instruments that provide for implementing measures to which the new regulatory procedure with scrutiny should be applied.

Therefore, the Committee on Legal Affairs calls on the European Commission to:

- submit to Parliament, on the basis of the appropriate articles of the EC Treaty, legislative proposals completing the comitology alignment. These proposals should be drawn up in the light of interinstitutional discussions and address, in particular, the legislative acts listed in the Annex;
- submit the corresponding legislative proposals for the purpose of bringing the remaining legal acts into line with the Comitology Decision, in particular those listed in the Annex hereto;
- submit, in the event that the present alignment procedures are not concluded prior to the entry into force of the Treaty of Lisbon, the relevant legislative proposals needed to adapt those legal acts that have still not been aligned at that juncture to the new regime provided for by Article 290 of the Treaty on the Functioning of the European Union.;
- submit, following the entry into force of the Treaty of Lisbon, the relevant legislative proposals needed to align the whole of the *acquis communautaire* to that new regime;
- submit as soon as possible the draft legislative proposal for the regulation laying down in advance the rules and general principles concerning the mechanism for control by Member States of the exercise of implementing powers by the Commission, in accordance with Article 291(3) of the Treaty on the Functioning of the European Union.

The report requests that additional resources be granted in the European Parliament for all comitology procedures, not just during the current transitional period but also in preparation for the eventuality that the Treaty of Lisbon enters into force, in order to ensure that every comitology procedure between the three institutions functions satisfactorily.

Alignment of legal acts to the new Comitology Decision

The European Parliament adopted by 624 votes to 25, with 10 abstentions, a resolution containing recommendations to the Commission on the alignment of legal acts to the new Comitology Decision.

The own initiative report had been tabled for consideration in plenary by József SZÁJER (EPP-ED, HU) on behalf of the Committee on Legal Affairs.

The report stresses that, for the sake of the quality of legislation, it is increasingly necessary to delegate to the Commission the development of the non-essential and more technical aspects of the legislation as well as its prompt adjustment to take account of technological progress and economic change. Such delegation of powers must be facilitated by giving the legislator the institutional means to scrutinise the exercise of such powers.

MEPs note that the current alignment of the *acquis* with the Comitology Decision is still not complete since there remain legal instruments that provide for implementing measures to which the new regulatory procedure with scrutiny should be applied.

Therefore, the European Commission is invited to:

- submit to Parliament, on the basis of the appropriate articles of the EC Treaty, legislative proposals completing the comitology alignment. These proposals should be drawn up in the light of interinstitutional discussions and address, in particular, the legislative acts listed in the Annex;
- submit the corresponding legislative proposals for the purpose of bringing the remaining legal acts into line with the Comitology Decision, in particular those listed in the Annex hereto;
- submit, in the event that the present alignment procedures are not concluded prior to the entry into force of the Treaty of Lisbon, the relevant legislative proposals needed to adapt those legal acts that have still not been aligned at that juncture to the new regime provided for by Article 290 of the Treaty on the Functioning of the European Union.;
- submit, following the entry into force of the Treaty of Lisbon, the relevant legislative proposals needed to align the whole of the *acquis*

communautaire to that new regime;

- submit as soon as possible the draft legislative proposal for the regulation laying down in advance the rules and general principles concerning the mechanism for control by Member States of the exercise of implementing powers by the Commission, in accordance with Article 291(3) of the Treaty on the Functioning of the European Union.

The resolution requests that additional resources be granted in the European Parliament for all comitology procedures, not just during the current transitional period but also in preparation for the eventuality that the Treaty of Lisbon enters into force, in order to ensure that every comitology procedure between the three institutions functions satisfactorily.