

Procedure file

| Basic information | |
|---|-------------------------------|
| COD - Ordinary legislative procedure (ex-codecision procedure) Regulation | Procedure lapsed or withdrawn |
| Common agricultural policy CAP: financing; alignment of the Regulation with the TFEU (Commission delegated and implementing powers) | |
| Subject 3.10.13 European Agricultural Guidance and Guarantee Fund, EAGGF and EAGF 8.50.01 Implementation of EU law | |

| Key players | | | |
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| European Parliament | Committee responsible | Rapporteur | Appointed |
| | AGRI Agriculture and Rural Development | PPE LA VIA Giovanni | 26/01/2011 |
| | | Shadow rapporteur S&D OLEJNICZAK Wojciech Michał ALDE PAULSEN Marit | |
| Council of the European Union European Commission | Commission DG Regional and Urban Policy | Commissioner CIOLOȘ Dacian | |

| Key events | | | |
|------------|---|---|---------|
| 15/12/2010 | Legislative proposal published | COM(2010)0745 | 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 | A7-0209/2011 | Summary |
| 03/07/2012 | Debate in Parliament |  | |
| 04/07/2012 | Results of vote in Parliament |  | |
| 04/07/2012 | Decision by Parliament, 1st reading | T7-0281/2012 | Summary |
| 07/03/2015 | Proposal withdrawn by Commission | | |

| Technical information |
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| Procedure reference | 2010/0365(COD) |
| Procedure type | COD - Ordinary legislative procedure (ex-codecision procedure) |
| Procedure subtype | Legislation |
| Legislative instrument | Regulation |
| Legal basis | Treaty on the Functioning of the EU TFEU 042-p1; Treaty on the Functioning of the EU TFEU 043-p2 |
| Other legal basis | Rules of Procedure EP 159 |
| Stage reached in procedure | Procedure lapsed or withdrawn |
| Committee dossier | AGRI/7/04887 |

Documentation gateway

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|---|-------------------------------|------------|-----|---------|
| Legislative proposal | COM(2010)0745 | 15/12/2010 | EC | Summary |
| Committee draft report | PE460.654 | 24/03/2011 | EP | |
| Economic and Social Committee: opinion, report | CES0814/2011 | 04/05/2011 | ESC | |
| Amendments tabled in committee | PE464.752 | 05/05/2011 | EP | |
| Committee report tabled for plenary, 1st reading/single reading | A7-0209/2011 | 31/05/2011 | EP | Summary |
| Text adopted by Parliament, 1st reading/single reading | T7-0281/2012 | 04/07/2012 | EP | Summary |

Additional information

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| National parliaments | IPEX |
| European Commission | EUR-Lex |

Common agricultural policy CAP: financing; alignment of the Regulation with the TFEU (Commission delegated and implementing powers)

PURPOSE: to align the powers conferred under Regulation (EC) No 1290/2005 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 1290/2005 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 1290/2005 on the financing of the common agricultural policy and repealing Council Regulation (EC) No 165/94 and Council Regulation (EC) No 78/2008 confer 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 1290/2005 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 1290/2005 and establish the corresponding procedure for the adoption of these acts (alignment of the regulation with the Treaty of Lisbon).

In addition, some simplifications are introduced relating to EAGF expenditure and recovery procedures.

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

Common agricultural policy CAP: financing; alignment of the Regulation with the TFEU (Commission delegated and implementing powers)

The Committee on Agriculture and Rural Development adopted the report drafted by Giovanni LA VIA (EPP, IT) on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1290/2005 on the financing of the common agricultural policy and repealing Council Regulation (EC) No 165/94 and Council Regulation (EC) No 78/2008.

It recommends that the European Parliaments 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.

Automatically decommitted: an amendment stipulates that for Member States which have opted to organise their rural development programmes on a regional basis, the calculation of the amount to be automatically decommitted may be made at the level of the Member State.

Common agricultural policy CAP: financing; alignment of the Regulation with the TFEU (Commission delegated and implementing powers)

The European Parliament adopted by 650 votes to 24, with 14 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1290/2005 on the financing of the common agricultural policy and repealing Council Regulation (EC) No 165/94 and Council Regulation (EC) No 78/2008.

Parliaments 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.

Automatically decommitted: an amendment stipulates that for Member States which have opted to organise their rural development programmes on a regional basis, the calculation of the amount to be automatically decommitted may be made at the level of the Member State.