Procedure file

Basic information

COD - Ordinary legislative procedure (ex-codecision procedure) 2016/0400B(COD) Regulation	Awaiting Council's 1st reading position
Adapting a number of legal acts to Articles 290 and 291 TFEU (Commission delegated and implementing acts) Subject 8.40.10 Interinstitutional relations, subsidiarity, proportionality, comitology 8.50.02 Legislative simplification, coordination, codification	

Key players

European Parliament	Committee responsible	Rapporteur	Appointed
	JURI Legal Affairs		18/03/2021
		epp POSPÍŠIL Jiří	
		Shadow rapporteur	
		S&D VOLLATH Bettina	
		renew europe. DURAND Pascal	
		TOUSSAINT Marie	
		ECR DZHAMBAZKI Angel	
		MAUREL Emmanuel	
	Former committee responsible		
	JURI Legal Affairs		28/03/2019
		epp SZÁJER József	
	Former committee for opinion		
	ECON Economic and Monetary Affairs		24/01/2017
		S&D GUALTIERI Roberto	
	ENVI Environment, Public Health and Food Safety		31/01/2017
		epp VĂLEAN Adina-Ioana	
	TRAN Transport and Tourism		06/03/2017
		ENF MAYER Georg	
	AGRI Agriculture and Rural Development		15/02/2017

		BUDA Daniel	
	Former committee for opinion on the legal basis		
	JURI Legal Affairs		01/03/2019
		LEBRETON Gilles	
Council of the European Union European Commission	Commission DG	Commissioner	
	Secretariat-General	JUNCKER Jean-Claude	

Key events

14/12/2016	Legislative proposal published	COM(2016)0799	
28/03/2019	Committee referral announced in Parliament, 1st reading		
01/04/2019	Vote in committee, 1st reading		
09/04/2019	Committee report tabled for plenary, 1st reading	A8-0190/2019	
17/04/2019	Results of vote in Parliament		
17/04/2019	Decision by Parliament, 1st reading	T8-0409/2019	Summary
09/01/2020	Committee decision to open interinstitutional negotiations after 1st reading in Parliament		
13/01/2020	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 72)		

Technical information

Procedure reference	2016/0400B(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Awaiting Council's 1st reading position
Committee dossier	JURI/8/15894

Documentation gateway

Legislative proposal		COM(2016)0799	14/12/2016	EC	
Economic and Social Committee: opinion, report		CES0758/2017	01/06/2017	ESC	
Committee of the Regions: opinion		CDR2776/2017	01/12/2017	CofR	
Specific opinion	JURI	PE637.501	03/04/2019	EP	

Committee report tabled for plenary, 1st reading/single reading		A8-0190/2019	09/04/2019	EP	
Text adopted by Parliament, 1st reading/single reading		T8-0409/2019	17/04/2019	EP	Summary
Commission response to text adopted in plenary		SP(2019)440	08/08/2019	EC	

Adapting a number of legal acts to Articles 290 and 291 TFEU (Commission delegated and implementing acts)

The European Parliament adopted by 531 votes to 29, with 33 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny (Part II) to Articles 290 and 291 of the Treaty on the Functioning of the European Union.

The Treaty of Lisbon has substantially modified the legal framework governing the powers conferred on the Commission by the legislator, introducing a clear distinction between powers delegated to the Commission to adopt non-legislative acts of general application to supplement or amend certain non-essential elements of a legislative act (delegated acts), and the powers conferred upon the Commission to adopt acts to ensure uniform conditions for implementing legally binding Union acts (implementing acts).

The proposed Regulation aims to adapt a series of basic instruments where the regulatory procedure with scrutiny (RPS) applies to make them evolve into delegated acts.

The European Parliaments position adopted at first reading under the ordinary legislative procedure amended the Commission's proposal to clarify that the power to adopt delegated acts would be conferred on the Commission for a period of five years.

The Commission shall prepare a report on the delegation of authority no later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of the same duration, unless the European Parliament or the Council objects to such an extension no later than three months before the end of each period.

In a recital, Parliament pointed out that bundling and presenting empowerments that are not closely linked with each other within a single delegated act of the Commission impedes the exercise of Parliament's right of scrutiny, as it is forced to simply accept or refuse the entire delegated act, which leaves no room to express an opinion on each empowerment individually.