***ITALIAN SENATE OF THE REPUBLIC***

***COMMENTS AND RECOMMENDATIONS OF THE***

***14TH STANDING COMMITTEE (European Union Policies)***

In pursuance of Senate Rule 144(1)

(Rapporteur: SANTINI)

Rome, 22 September 2010

Comments on EU Document:

**Amended proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 708/2007 concerning use of alien and locally absent species in aquaculture (COM (2010) 393 final)**

The 14th standing committee, following consideration of document COM (2010) 393 final,

(...)

expresses, insofar as its remit is concerned, a positive opinion with the following qualifications:

the proposal appears to comply with the subsidiarity principle, in that protection of the marine environment and enhancement of the aquaculture sector may not be adequately ensured by individual Member States, in view of the transnational nature of the marine environment and the aquaculture sector;

the proposal appears to comply with the proportionality principle, in that it does not exceed what is necessary in order to attain the objectives pursued in order to protect the aquatic environment and safeguards the jurisdiction of national authorities;

the legal basis appears to be appropriately identified in Article 43(2) of the Treaty on the Functioning of the European Union, whereby the European Parliament and the Council, acting in accordance with the ordinary legislative, establish the common organisation of agricultural markets and the other provisions necessary for the pursuit of the objectives of the common agricultural policy and the common fisheries policy;

on the substance of the proposal, the committee welcomes the goal of streamlining bureaucratic procedures for the use of alien and locally absent species in aquaculture, with a view to enhancing that economic sector, while ensuring an appropriate level of environmental protection;

on Article 2(5) of the proposal, conferring the power to adopt delegated acts on the Commission for an indeterminate period of time, the committee wishes to reaffirm a view – which it has expressed several times on other legislative proposals – that such indefinite duration contrasts with Article 290 of the Treaty on the Functioning of the European Union and actually prevents national parliaments from monitoring the work of the Commission after a certain period of time and from assessing whether the principles and criteria of the delegation, and even the delegation itself, should be extended.