



2017/0035(COD)

23.11.2017

OPINION

of the Committee on Economic and Monetary Affairs

for the Committee on Legal Affairs

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 182/2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (COM(2017)0085 – C8-0034/2017 – 2017/0035(COD))

Rapporteur: Roberto Gualtieri

PA_Legam

AMENDMENTS

The Committee on Economic and Monetary Affairs calls on the Committee on Legal Affairs, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation

Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) The intention of co-legislators as expressed in a legislative act makes part of its aim.

Amendment 2

Proposal for a regulation

Recital 11

Text proposed by the Commission

Amendment

(11) Transparency on the votes of Member ***State*** representatives at ***the*** appeal committee level should be increased and ***the individual Member State representatives'*** votes should be made public.

(11) ***Transparency throughout the whole process should be increased.*** Transparency on the votes, ***views and orientations*** of Member ***States*** representatives ***at committee and*** at appeal committee level, should be increased and Member ***States'*** votes, ***as well as explanations of these votes,*** should be made public ***in the register. More detailed information should be given on the composition of committees.***

Justification

Transparency should be increased at all levels, both at the level of the advisory procedure and of the examination procedure.

Amendment 3

Proposal for a regulation

Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) The European Parliament and the Council should have full access to the

register containing information on committee proceedings, and should be promptly informed of committee proceedings and should be informed of any votes in the appeal committee as a matter of urgency.

Justification

Transparency should be increased at all levels, including for the information provided to Parliament.

Amendment 4

Proposal for a regulation

Article 1 – paragraph 1 – point 2 – point b

Regulation (EU) No 182/2011

Article 6 – paragraph 3a

Text proposed by the Commission

"3a. Where no opinion is delivered in the appeal committee, the Commission may refer the matter to the Council for an opinion indicating its views and orientation on the wider implications of the absence of opinion, including the institutional, legal, political and international implications. The Commission shall take account of any position expressed by the Council within 3 months after the referral. In duly justified cases, the Commission may indicate a shorter deadline in the referral."

Amendment

"3a. Where no opinion is delivered in the appeal committee, the Commission may refer the matter to the Council for an opinion indicating its views and orientation on the wider implications of the absence of opinion, including the institutional, legal, political and international implications. The Commission shall take account of any position expressed by the Council within 3 months after the referral. In duly justified cases, the Commission may indicate a shorter deadline in the referral. ***The European Parliament shall be kept duly informed in this regard and in a timely fashion***".

Justification

It is appropriate to inform the European Parliament, as a co-legislator.

Amendment 5

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point -a (new)

Regulation (EU) No 182/2011

Article 10 – paragraph 1 – point c

Present text

“(c) the summary records, together with the lists of the authorities and organisations ***to which the persons designated by the Member States to represent them belong;***”

Amendment

(-a) in paragraph 1, point (c) is replaced by the following:

“(c) the summary records, together with the lists of ***participants representing*** the authorities and organisations;”

Justification

Transparency should be increased at all levels, including at the level of Member State representatives and other participants.

Amendment 6

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point a

Regulation (EU) No 182/2011

Article 10 – paragraph 1 – point e

Text proposed by the Commission

(e) the voting results including, ***in the case of the appeal committee***, the votes expressed by the representative of each Member State;

Amendment

(e) the voting results ***at committee and at the appeal committee level***, including the votes expressed by the representative of each Member State ***as well as explanations of these votes;***

Justification

Transparency should be increased at all levels, both at the level of the advisory procedure and of the examination procedure.

Amendment 7

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point b

Regulation (EU) No 182/2011

Article 10 – paragraph 5

Text proposed by the Commission

5. The references of all documents referred to in points (a) to (d), (f) and (g) of paragraph 1 as well as the information referred to in points (e) and (h) of that paragraph shall be made public in the register.

Amendment

5. The references of all documents referred to in points (a) to (d), (f) and (g) of paragraph 1 as well as the information referred to in points (e) and (h) of that paragraph shall be made public in the register. ***That public register shall be available for access via the internet.***

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Amendment 8

Proposal for a regulation

Article 1 – paragraph 1 – point 3 a (new)

Regulation (EU) No 182/2011

Article 11 – paragraph 1

Present text

“Where a basic act is adopted under the ordinary legislative procedure, either the European Parliament or the Council may at any time indicate to the Commission that, in its view, **a** draft implementing act exceeds the implementing powers provided for in the basic act. In such a case, the Commission shall review the draft implementing act, taking account of the positions expressed, and shall inform the European Parliament and the Council whether it intends to maintain, amend or withdraw the draft implementing act.”

Amendment

(3 a) Article 11 is replaced by the following:

“Where a basic act is adopted under the ordinary legislative procedure, ***and after notification of the draft implementing act simultaneously to the European Parliament and the Council as soon as it is available,*** either the European Parliament or the Council may at any time indicate to the Commission that, in its view, ***that*** draft implementing act exceeds the implementing powers provided for in the basic act ***or that it is not compatible with the aim or the content of the basic act.*** In such a case, the Commission shall review the draft implementing act, taking account of the positions expressed, and shall inform the European Parliament and the Council whether it intends to maintain, amend or withdraw the draft implementing act.”

Justification

It is appropriate that the draft implementing acts are notified to the European Parliament in its role as a branch of the legislator. It is also appropriate for the European Parliament to indicate to the Commission when a draft implementing act is politically not compatible with the aim or the content of the basic act.

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers
References	COM(2017)0085 – C8-0034/2017 – 2017/0035(COD)
Committee responsible Date announced in plenary	JURI 1.3.2017
Opinion by Date announced in plenary	ECON 1.3.2017
Rapporteur Date appointed	Roberto Gualtieri 21.3.2017
Discussed in committee	10.10.2017 9.11.2017
Date adopted	21.11.2017
Result of final vote	+: 49 –: 0 0: 4
Members present for the final vote	Gerolf Annemans, Hugues Bayet, Pervenche Berès, Udo Bullmann, Thierry Cornillet, Markus Ferber, Jonás Fernández, Sven Giegold, Neena Gill, Roberto Gualtieri, Brian Hayes, Gunnar Hökmark, Cătălin Sorin Ivan, Barbara Kappel, Wajid Khan, Georgios Kyrtos, Philippe Lamberts, Sander Loones, Olle Ludvigsson, Ivana Maletić, Gabriel Mato, Costas Mavrides, Bernard Monot, Caroline Nagtegaal, Luděk Niedermayer, Stanisław Ożóg, Dimitrios Papadimoulis, Pirkko Ruohonen-Lerner, Anne Sander, Molly Scott Cato, Pedro Silva Pereira, Peter Simon, Theodor Dumitru Stolojan, Kay Swinburne, Ramon Tremosa i Balcells, Ernest Urteaga, Marco Valli, Tom Vandenkendelaere, Miguel Viegas, Jakob von Weizsäcker, Marco Zanni, Sotirios Zarianopoulos
Substitutes present for the final vote	Matt Carthy, Andrea Cozzolino, Herbert Dorfmann, Frank Engel, Ashley Fox, Ramón Jáuregui Atondo, Paloma López Bermejo, Thomas Mann, Siegfried Mureşan
Substitutes under Rule 200(2) present for the final vote	Bogdan Brunon Wenta, Wim van de Camp

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

49	+
ALDE	Thierry Cornillet, Caroline Nagtegaal, Ramon Tremosa i Balcells
ECR	Ashley Fox, Sander Loones, Stanisław Ożóg, Pirkko Ruohonen-Lerner, Kay Swinburne
ENF	Gerolf Annemans, Barbara Kappel, Bernard Monot, Marco Zanni
GUE/NGL	Matt Carthy, Dimitrios Papadimoulis
PPE	Herbert Dorfmann, Frank Engel, Markus Ferber, Brian Hayes, Gunnar Hökmark, Georgios Kyrtos, Ivana Maletić, Thomas Mann, Gabriel Mato, Siegfried Mureşan, Luděk Niedermayer, Anne Sander, Theodor Dumitru Stolojan, Tom Vandenkendelaere, Bogdan Brunon Wenta, Wim van de Camp
S&D Group	Hugues Bayet, Pervenche Berès, Udo Bullmann, Andrea Cozzolino, Jonás Fernández, Neena Gill, Roberto Gualtieri, Cătălin Sorin Ivan, Ramón Jáuregui Atondo, Wajid Khan, Olle Ludvigsson, Costas Mavrides, Pedro Silva Pereira, Peter Simon, Jakob von Weizsäcker
Verts/ALE Group	Sven Giegold, Philippe Lamberts, Molly Scott Cato, Ernest Urtasun

0	-

4	0
EFDD	Marco Valli
GUE/NGL Group	Paloma López Bermejo, Miguel Viegas,
NI	Sotirios Zarianopoulos

Key to symbols:

+ : in favour

- : against

0 : abstention