



EUROPEAN PARLIAMENT

2009 - 2014

Committee on International Trade

2013/0279(COD)

10.12.2013

AMENDMENTS

3 - 13

Draft report
Vital Moreira
(PE522.763v01-00)

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 471/2009 on Community statistics relating to external trade with non-member countries as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures

Proposal for a regulation
(COM(2013)0579 – C7-0243/2013 – 2013/0279(COD))

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PE524.808v01-00

EN

United in diversity

EN

Amendment 3
Vital Moreira

Proposal for a regulation
Recital 8

Text proposed by the Commission

Amendment

(8) In order to ensure uniform conditions for the implementation of Regulation (EC) No 471/2009, implementing powers should be conferred upon the Commission enabling it to adopt measures relating to the codes to be used for data referred to in Article 5(1) of that Regulation and measures relating to the linking of the data on business characteristics with data recorded in accordance with the same Article. These powers should be exercised in accordance with Regulation (EU) No 182/2011. ***deleted***

Or. en

Amendment 4
Vital Moreira

Proposal for a regulation
Recital 9

Text proposed by the Commission

Amendment

(9) The Committee on statistics relating to the trading of goods with non-member countries (Extrastat Committee) referred to in Article 11 of Regulation (EC) No 471/2009 provides advice to the Commission and assists it in exercising its implementing powers. ***deleted***

Or. en

Amendment 5
Vital Moreira

Proposal for a regulation
Recital 10

Text proposed by the Commission

Amendment

(10) Under the strategy for a new European Statistical System (hereinafter referred to as 'ESS') structure intended to improve coordination and partnership in a clear pyramid structure within the ESS, the European Statistical System Committee (hereinafter referred to as 'ESSC'), established by Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics⁹, should have an advisory role and assist the Commission in exercising its implementing powers.

deleted

⁹ OJ L 87, 31.3.2009, p. 164.

Or. en

Amendment 6
Vital Moreira

Proposal for a regulation
Recital 11

Text proposed by the Commission

Amendment

(11) Regulation (EC) No 471/2009 should be amended by replacing the reference to the Extrastat Committee with a reference to the ESSC.

deleted

Or. en

Amendment 7
Vital Moreira

Proposal for a regulation

Article 1 – point 3 – point a

Regulation (EC) 471/2009

Article 5 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The Commission shall be empowered to adopt, in accordance with Article 10a, delegated acts relating to the further specification of the data referred to in paragraph 1.

Amendment

The Commission shall be empowered to adopt, in accordance with Article 10a, delegated acts relating to the ***adoption of rules with respect to the*** further specification of the data referred to in paragraph 1 ***and with respect to the measures relating to the codes to be used for these data.***

Or. en

Justification

Sound constitutional considerations of separation of powers indicates that acts of normative nature – i.e. rulemaking – should be exclusive of the legislator and that they can only be allowed to be adopted by the executive branch of government under delegation by the legislator, never as an implementing power.

Amendment 8

Vital Moreira

Proposal for a regulation

Article 1 – point 3 – point a

Regulation (EC) 471/2009

Article 5 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The Commission shall adopt, by means of implementing acts, measures relating to the codes to be used for these data.

Amendment

deleted

Or. en

Amendment 9
Vital Moreira

Proposal for a regulation

Article 1 – point 3 – point a

Regulation (EC) 471/2009

Article – 5 paragraph 2 – subparagraph 3

Text proposed by the Commission

Amendment

These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 11(2). *deleted*

Or. en

Amendment 10
Vital Moreira

Proposal for a regulation

Article 1 – point 4 – point a

Regulation (EC) 471/2009

Article 6 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

The Commission shall adopt, *by means of implementing acts, measures* relating to the linking of the data and these statistics to be compiled.

The Commission shall *be empowered to* adopt, *in accordance with Article 10a, delegated acts* relating to *the adoption of rules on* the linking of the data and these statistics to be compiled.

Or. en

Justification

Sound constitutional considerations of separation of powers indicates that acts of normative nature – i.e. rulemaking – should be exclusive of the legislator and that they can only be allowed to be adopted by the executive branch of government under delegation by the legislator, never as an implementing power.

Amendment 11
Vital Moreira

Proposal for a regulation

Article 1 – point 4 – point a

Regulation (EC) 471/2009

Article 6 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 11(2). ***deleted***

Or. en

Amendment 12

Vital Moreira

Proposal for a regulation

Article 1 – point 7

Text proposed by the Commission

Amendment

(7) Article 11 is replaced by the following:

(7) Article 11 is deleted.

The Commission shall be assisted by the European Statistical System Committee established by Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics (*) This committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (*).

Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Or. en

Amendment 13
Jean-Pierre Audy

Proposal for a regulation
Article 3 – paragraph 1

Text proposed by the Commission

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

Amendment

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. ***It shall be made available in consolidated form within three months of its entry into force.***

Or. fr