



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Transport and Tourism

2012/2323(INI)

19.6.2013

AMENDMENTS

5 - 18

Draft opinion
Werner Kuhn and Saïd El Khadraoui
(PE513.025v01-00)

Follow-up on the Delegation of Legislative Powers and the Control by Member States of the Commission's Exercise of Implementing Powers
(2012/2323(INI))

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PE513.391v01-00

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United in diversity

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Amendment 5
Inés Ayala Sender

Draft opinion
Paragraph 3

Draft opinion

3. Expresses its concerns about the alignment exercise in the current context of the Council's hostility towards the use of delegated acts, since it could lead to Parliament losing its scrutiny rights if measures were to become implementing acts in important and politically sensitive pieces of legislation, like those related to security, where democratic control should, in any case, be adequately guaranteed through Parliament's scrutiny rights on delegated acts;

Amendment

3. Expresses its concerns about the alignment exercise in the current context of the Council **and Commission's** hostility towards the use of delegated acts, since it could lead to Parliament losing its scrutiny rights if measures were to become implementing acts in important and politically sensitive pieces of legislation, like those related to security, where democratic control should, in any case, be adequately guaranteed through Parliament's scrutiny rights on delegated acts;

Or. es

Amendment 6
Gesine Meissner

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

(3a) Urges the Commission, as guardian of the Treaties, to fulfil its commitments under Articles 290 and 291 of the Lisbon Treaty and support Parliament in defending its rights of scrutiny;

Or. en

Amendment 7
Inés Ayala Sender

**Draft opinion
Paragraph 3 a (new)**

Draft opinion

Amendment

(3a) Laments the Commission's opposition, during the tripartite dialogues on legislative reports currently in progress, to the use of delegated acts, which would provide for scrutiny by Parliament; reminds the Commission of the Joint Declaration on practical arrangements for the codecision procedure, and in this respect requests that during those discussions the Commission perform its role of helping to reconcile the positions of Parliament and the Council;

Or. es

**Amendment 8
Inés Ayala Sender**

**Draft opinion
Paragraph 3 b (new)**

Draft opinion

Amendment

(3b) Considers that Parliament must at all times be guaranteed a right of scrutiny over the action the Commission takes by means of delegated acts, without the exercising of that right presenting an obstacle to the EU's capacity for action and initiative;

Or. es

**Amendment 9
Eva Lichtenberger**

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

(4a) Emphasises that delegated and implementing acts should be limited to issues of purely technical and/or administrative nature: political topics should be reserved to a democratic and transparent co-decision procedure, accessible to the European citizen;

Or. en

Amendment 10
Gesine Meissner

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

(4a) Considers that the correct exercise of Parliament's scrutiny in relation to delegated acts may be difficult without an adequate follow-up of their preparatory phase and the necessary expertise to assess their content, given the limited time and resources given for their scrutiny at Committee level;

Or. en

Amendment 11
Saïd El Khadraoui, Werner Kuhn

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

(4a) Recalls that rule-making in the European Union also takes place below

the legislative level, in acts developing and implementing legislative acts and that it is necessary to ensure the correct application of the Treaty to guarantee a sufficient level of democratic legitimacy for these acts as well;

Or. en

Amendment 12
Saïd El Khadraoui, Werner Kuhn

Draft opinion
Paragraph 4 b (new)

Draft opinion

Amendment

(4b) Recalls that according to Articles 290 and 291 of the Treaty, delegated acts and implementing acts are answering different needs and therefore cannot be substituted by one for another;

Or. en

Amendment 13
Eva Lichtenberger

Draft opinion
Paragraph 4 b (new)

Draft opinion

Amendment

(4b) Urges the Commission to propose a set of precise interinstitutional criteria for the use of delegated and implementing acts, including revision mechanisms, and based on the various stages of decision making that lead these acts;

Or. en

Amendment 14
Saïd El Khadraoui, Werner Kuhn

Draft opinion
Paragraph 4 c (new)

Draft opinion

Amendment

(4c) Believes that, in order to strengthen the position of its rapporteurs in legislative negotiations, more recourse should be made to the possibility of requesting an opinion from JURI under Rule 37a of the Rules of Procedure;

Or. en

Amendment 15
Saïd El Khadraoui, Werner Kuhn

Draft opinion
Paragraph 4 d (new)

Draft opinion

Amendment

(4d) Calls on the Commission to ensure that the same level of information and transparency is provided to both national experts and Parliament's experts;

Or. en

Amendment 16
Saïd El Khadraoui, Werner Kuhn

Draft opinion
Paragraph 4 e (new)

Draft opinion

Amendment

(4e) Considers that the correct exercise of Parliament's scrutiny in relation to delegated acts may be difficult without an adequate follow-up of their preparatory

phase and the necessary expertise to assess their content, given the limited time given for their scrutiny at Committee level;

Or. en

Amendment 17
Saïd El Khadraoui, Werner Kuhn

Draft opinion
Paragraph 4 f (new)

Draft opinion

Amendment

(4f) Underlines the importance of Parliament's involvement in the preparatory phase of delegated acts both to influence, if possible, their content at an early stage and to be in a good position to scrutinise the content after their transmission, given the limited period given to Parliament for scrutiny;

Or. en

Amendment 18
Saïd El Khadraoui, Werner Kuhn

Draft opinion
Paragraph 4 g (new)

Draft opinion

Amendment

(4g) Insists that, in the context of the post-Lisbon alignment of a legislative act, those measures previously subject to the regulatory procedure with scrutiny should become delegated acts rather than implementing acts, unless exceptionally justified;

Or. en

