



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Employment and Social Affairs

2012/2323(INI)

26.6.2013

AMENDMENTS

1 - 9

Draft opinion
Pervenche Berès
(PE513.045v01)

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))

AM\941530EN.doc

PE514.742v01-00

EN

United in diversity

EN

AM_Com_NonLegOpinion

Amendment 1
Nadja Hirsch

Draft opinion
Paragraph 2

Draft opinion

2. **Stresses** that the delegation of legislative powers to the Commission involves significant political and strategic questions; points out, with regard to the MFF legislative proposals, that, when not included in the basic act, ‘elements such as objectives and priorities, financial allocations in broad terms (...) should be adopted by delegated acts’¹;

Amendment

2. **Is critical of the fact** that the delegation of legislative powers to the Commission involves significant political and strategic questions; **stresses that it is important for European Parliament committees to adopt a coherent approach in this context**; points out, with regard to the MFF legislative proposals, that, when not included in the basic act, ‘elements such as objectives and priorities, financial allocations in broad terms (...) should be adopted by delegated acts’¹;

Or. de

Amendment 2
Pervenche Berès

Draft opinion
Paragraph 3

Draft opinion

3. Criticises the Council and the Commission for systematically trying to avoid delegated acts in legislative proposals; calls on those institutions to respect Articles 290 and 291 TFEU regarding the distinct nature of delegated acts compared to implementing acts; **recalls that in the field of employment and social affairs, Parliament has challenged the validity of the EURES decision² before the Court of Justice in order to defend its prerogatives**;

Amendment

3. Criticises the Council and the Commission for systematically trying to avoid delegated acts in legislative proposals; calls on those institutions to respect Articles 290 and 291 TFEU regarding the distinct nature of delegated acts compared to implementing acts;

Or. en

Amendment 3
Csaba Óry

Draft opinion
Paragraph 3

Draft opinion

3. *Criticises the Council and the Commission for systematically trying to avoid delegated acts in legislative proposals*; calls on *those institutions* to respect Articles 290 and 291 TFEU regarding the distinct nature of delegated acts compared to implementing acts; recalls that in the field of employment and social affairs, Parliament has challenged the validity of the EURES decision before the Court of Justice in order to defend its prerogatives;

Amendment

3. Calls on *the Council and the Commission* to respect Articles 290 and 291 TFEU regarding the distinct nature of delegated acts compared to implementing acts; recalls that in the field of employment and social affairs, Parliament has challenged the validity of the EURES decision before the Court of Justice in order to defend its prerogatives;

Or. hu

Amendment 4
Nadja Hirsch

Draft opinion
Paragraph 3

Draft opinion

3. Criticises the Council and the Commission for systematically trying to *avoid* delegated acts in legislative proposals; calls on those institutions to respect Articles 290 and 291 TFEU regarding the distinct nature of delegated acts compared to implementing acts; recalls that in the field of employment and social affairs, Parliament has challenged the validity of the EURES decision² before the Court of Justice in order to defend its prerogatives;

Amendment

3. Criticises the Council and the Commission for systematically trying to *give implementing powers precedence over* delegated acts in legislative proposals; calls on those institutions to respect Articles 290 and 291 TFEU regarding the distinct nature of delegated acts compared to implementing acts; recalls that in the field of employment and social affairs, Parliament has challenged the validity of the EURES decision² before the Court of Justice in order to defend its prerogatives;

Amendment 5
Pervenche Berès

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3 a. recalls that in the field of employment and social affairs, Parliament has challenged the validity of the EURES decision² before the Court of Justice in order to defend its prerogatives, on the ground that the Commission did not respect the limit resulting from Article 291 TFEU;

² ***OJ L 328, 28.11.2012, p. 21, Commission Implementing Decision of 26 November 2012 implementing Regulation (EU) No 492/2011 of the European Parliament and of the Council as regards the clearance of vacancies and applications for employment and the re-establishment of EURES.***

Or. en

Amendment 6
Nadja Hirsch

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3a. Calls on the Council and Commission to attempt to keep to a minimum the overall use of delegated acts pursuant to Article 290 TFEU and implementing powers pursuant to Article 291 TFEU;

Amendment 7
Csaba Óry

Draft opinion
Paragraph 4

Draft opinion

4. Emphasises that it is entirely within the discretion of Parliament to decide, among the non-essential elements of the basic act, which **are to** be addressed or not through a delegation of powers; recognises that it should delegate powers with care, having regard to the need to safeguard its prerogatives and to ensure transparency in EU law-making;

Amendment

4. Emphasises that it is entirely within the discretion of Parliament to decide, among the non-essential elements of the basic act, which **may** be addressed or not through a delegation of powers; recognises that it should delegate powers with care, having regard to the need to safeguard its prerogatives and to ensure transparency in EU law-making;

Or. hu

Amendment 8
Pervenche Berès

Draft opinion
Paragraph 5

Draft opinion

5. Considers that in the context of the alignment of old comitology measures, the measures previously subject to the regulatory procedure with scrutiny should **become delegated rather than implementing** acts; urges the Commission to speed up the alignment;

Amendment

5. Considers that in the context of the alignment of old comitology measures, the measures previously subject to the regulatory procedure with scrutiny should **in principle become delegated** acts; urges the Commission to speed up the alignment;

Or. en

Amendment 9
Nadja Hirsch

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7a. Calls on the Commission to inform the rapporteur with responsibility for a basic act about the preliminary work on a delegated act no later than during the preparatory stage of work on the delegated act;

Or. de