



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Legal Affairs

2013/2130(INI)

20.12.2013

AMENDMENTS

1-3

Draft opinion
Eva Lichtenberger
(PE524.682v01-00)

Implementation of the Treaty of Lisbon with respect to the European
Parliament
(2013/2130(INI))

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PE526.193v01-00

EN

United in diversity

EN

AM_Com_NonLegOpinion

Amendment 1
Giuseppe Gargani

Draft opinion
Paragraph 6

Draft opinion

6. Points out that Parliament welcomed, in principle, the introduction of delegated acts in Article 290 TFEU as providing greater scope for oversight *as regards delegation of powers, but is concerned at the excessive use of delegated acts in Commission proposals, both as regards their number and scope or lack of precision, and whereas, furthermore, the Council has been tempted to convert such acts into implementing acts pursuant to Article 291 TFEU; emphasises that Article 290 explicitly limits the scope of delegated acts to non-essential elements of a legislative act and stresses that excessive use of delegation undermines the legitimacy of the legislative procedure; refers also, in this connection, to reasoned opinions by national Parliaments under Article 7(2) of Protocol No 2, which have concluded that the broad scope of delegation in a proposed act does not allow for an evaluation of whether the concrete legislative reality would be in conformity with the principle of subsidiarity or not;*

Amendment

6. Points out that Parliament welcomed, in principle, the introduction of delegated acts in Article 290 TFEU as providing greater scope for oversight , *but stresses that the conferral of such delegated powers, nor implementing powers under Article 291, is never an obligation; recognises that the use of delegated acts should be considered where flexibility and efficiency are needed and cannot be delivered by means of the ordinary legislative procedure, provided that the objective, content, scope and the duration of that delegation are explicitly defined and the conditions to which the delegation is subject are clearly laid down in the basic act; expresses concerns about the tendency of the Council to insist on implementing acts for provisions where only the basic act or delegated acts can be used; stresses that only for elements that do not amount to further political orientation the legislator may decide to allow for their adoption through implementing acts; recognises that Article 290 explicitly limits the scope of delegated acts to non-essential elements of a legislative act and that for rules essential to the subject matter of the legislation therefore also delegated acts cannot be used;*

Or. en

Amendment 2
Francesco Enrico Speroni

Draft opinion
Paragraph 7

Draft opinion

7. Highlights the greater role given to national parliaments in the Lisbon Treaty and stresses that, alongside the role which they play in monitoring respect for the principles of subsidiarity and proportionality, they can and do make positive contributions in the framework of the Political Dialogue; considers that the active role which the national parliaments can play in guiding the members of the Council of Ministers and good cooperation between the European Parliament and the national parliaments can help to establish a healthy parliamentary counterbalance to the exercise of executive power in the functioning of the EU.

Amendment

7. Highlights the greater role given to national parliaments in the Lisbon Treaty and stresses that, alongside the role which they play in monitoring respect for the principles of subsidiarity and proportionality, they can and do make positive contributions in the framework of the Political Dialogue; considers, ***however, the legislation to be defective and inappropriate where, even when resolutions have been adopted by national parliaments, deeming a legislative proposal to be non-compliant with the principle of subsidiarity, it allows that proposal to be maintained without amendment, as occurred in the proposal relating to the establishment of a European Public Prosecutor's Office;***

Or. it

Amendment 3
Giuseppe Gargani

Draft opinion
Paragraph 7

Draft opinion

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national parliaments can help to establish a healthy parliamentary counterbalance to the exercise of executive power in the functioning of the EU. ***Refers also to reasoned opinions by national Parliaments under Article 7(2) of Protocol No 2 that the broad scope of delegation under Art. 290 TFEU in a proposed acts does not allow for an evaluation of whether the concrete legislative reality would be in conformity with the principle of subsidiarity or not;***

Or. en