



2016/0400(COD)

05.12.2017

*****I**

DRAFT REPORT

on the proposal for a regulation of the European Parliament and of the Council
adapting a number of legal acts providing for the use of the regulatory
procedure with scrutiny to Articles 290 and 291 of the Treaty on the
Functioning of the European Union
(COM(2016)0799 – C8-0524/2016 – 2016/0400(COD))

Committee on Legal Affairs

Rapporteur: József Szájer

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ■ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 of the Treaty on the Functioning of the European Union (COM(2016)0799 – C8-0524/2016 – 2016/0400(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2016)0799),
 - having regard to Article 294(2) and Article 33, Article 43(2), Article 53(1), Article 62, Article 64(2), Article 91, Article 100(2), Article 114, Article 153(2)(b), Article 168(4) (a), Article 168(4)(b), Article 172, Article 192(1), Article 207, Article 214(3), and Article 338(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0524/2016),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 1 June 2017¹,
 - having regard to the opinion of the Committee of the Regions of ...²,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs and also the opinions and positions in the form of amendments of the Committee on Economic and Monetary Affairs, the Committee on Employment and Social Affairs, the Committee on the Environment, Public Health and Food Safety, the Committee on Industry, Research and Energy, the Committee on the Internal Market and Consumer Protection, the Committee on Transport and Tourism and the Committee on Agriculture and Rural Development(A8-0000/2017),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ OJ C 288, 31.8.2017, p. 29.

² OJ C ...

Amendment 1

Proposal for a regulation

Annex I – Part I – point 1 – paragraph 2 – point 1

Directive 2009/31/EC

Article 29 – paragraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 29a amending the Annexes.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 29a amending the Annexes ***to this Directive in order to adapt to technical and scientific progress.***

Or. en

Justification

Necessary to ensure consistency with the wording used in the Commission proposal no COM(2016)0789, notably its Article 2(2).

Amendment 2

Proposal for a regulation

Annex I – Part I – point 1 – paragraph 2 – point 2

Directive 2009/31/EC

Article 29 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 29 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 29 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than***

three months before the end of each period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 3

Proposal for a regulation

Annex I – Part I – point 1 – paragraph 2 – point 3

Directive 2009/31/EC

Article 30

Text proposed by the Commission

(3) Article 30 is *deleted*.

Amendment

(3) Article 30 is *replaced by the following*:

“Article 30

Committee procedure

1. The Commission shall be assisted by the Climate Change Committee established by Article 26 of Regulation (EU) No 525/2013 of the European Parliament and of the Council. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council**.*

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

** Regulation (EU) No 525/2013 of the European Parliament and of the Council of 21 May 2013 on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change and repealing*

Decision No 280/2004/EC (OJ L 165, 18.6.2013, p. 13).

***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 (OJ L 55, 28.2.2011, p. 13).*

Or. en

Justification

Necessary to ensure consistency with the wording used in the Commission proposal no COM(2016)0789, notably its Article 2(4).

Amendment 4

**Proposal for a regulation
Annex I – Part I – point 2**

Text proposed by the Commission

Amendment

[...]

deleted

Or. en

Justification

Given that the choice of delegation of power from RPS to DA / IA as regards the Effort Sharing Decision is not uncontroversial, and that the obligations under the Decision will be replaced by another Regulation for the 2021-2030 period, it would be preferable not to include 406/2009/EC in this Omnibus proposal.

Amendment 5

**Proposal for a regulation
Annex I – Part I – point 3 – paragraph 3 – point 11
Regulation (EC) No 1005/2009
Article 24 a – paragraph 2**

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 7(2), Article 8(3) and (5), Article 10(3) and (6), Article 13(2), Article 18(9), Article 19, Article 20(2), Article 22(3), (4) and (5), Article 23(4) and (7), Article 24(2) and (3), Article 26(3) and Article 27(10) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 7(2), Article 8(3) and (5), Article 10(3) and (6), Article 13(2), Article 18(9), Article 19, Article 20(2), Article 22(3), (4) and (5), Article 23(4) and (7), Article 24(2) and (3), Article 26(3) and Article 27(10) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 6

Proposal for a regulation

Annex I – Part II – point 4 – paragraph 2 – point 3

Directive 2002/58/EC

Article 14 b – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(5) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [from the date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 4(5) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not***

later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 7

Proposal for a regulation

Annex I – Part II – point 5 – paragraph 2 – point 3

Regulation (EC) No 733/2002

Article 5 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3(1) and Article 5(1) and (2) shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 3(1) and Article 5(1) and (2) shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 8

Proposal for a regulation

Annex I – Part IV – point 8 – paragraph 2 – point 3

Directive 89/391/EEC

Article 17 b – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 16a shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 16a shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 9

Proposal for a regulation

Annex I – Part IV – point 9 – paragraph 2 – point 2

Directive 89/654/EEC

Article 9 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for ***a*** period of ***five years*** from ...[date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 10

Proposal for a regulation

Annex I – Part IV – point 10 – paragraph 2 – point 2

Directive 89/656/EEC

Article 9 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for ***a*** period of ***five years*** from ...[date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the***

European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 11

Proposal for a regulation

Annex I – Part IV – point 11 – paragraph 2 – point 2

Directive 90/269/EEC

Article 8 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for ***a*** period of ***five years*** from ...[date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 12

Proposal for a regulation

Annex I – Part IV – point 12 – paragraph 2 – point 2

Directive 90/270/EEC

Article 10 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 13

Proposal for a regulation

Annex I – Part IV – point 13 – paragraph 2 – point 2

Directive 92/29/EEC

Article 8 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for ***an indeterminate***

Amendment

2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for ***a*** period of ***five***

period of **time** from [date of entry into force of this **Omnibus**].

*years from ... [date of entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 14

Proposal for a regulation

Annex I – Part IV – point 14 – paragraph 2 – point 2

Directive 92/57/EEC

Article 13 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 13 shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 13 shall be conferred on the Commission for **a** period of **five years** from ...[date of entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.**

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 15

Proposal for a regulation

Annex I – Part IV – point 15 – paragraph 2 – point 2

Directive 92/58/EEC

Article 9 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for *a* period of *five years* from ...[date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 16

Proposal for a regulation

Annex I – Part IV – point 16 – paragraph 2 – point 2

Directive 92/91/EEC

Article 11 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in 11 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 17

Proposal for a regulation

Annex I – Part IV – point 17 – paragraph 2 – point 2

Directive 92/104/EEC

Article 11 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for ***a*** period of ***five years*** from ...[date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the***

European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 18

Proposal for a regulation

Annex I – Part IV – point 18 – paragraph 2 – point 2

Directive 93/103/EC

Article 12 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 12 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 12 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 19

Proposal for a regulation

Annex I – Part IV – point 19 – paragraph 2 – point 2

Directive 94/33/EC

Article 15 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 15 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 15 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 20

Proposal for a regulation

Annex I – Part IV – point 20 – paragraph 2 – point 3

Directive 98/24/EC

Article 12 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3(2) and Article 12(1)

Amendment

2. The power to adopt delegated acts referred to in Article Article 3(2) and

shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Article 12(1) shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 21

Proposal for a regulation

Annex I – Part IV – point 21 – paragraph 2 – point 2

Directive 1999/92/EC

Article 10 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 22

Proposal for a regulation

Annex I – Part IV – point 22 – paragraph 2 – point 2

Directive 2000/54/EC

Article 19 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 19 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 19 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 23

Proposal for a regulation

Annex I – Part IV – point 23 – paragraph 2 – point 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 24

Proposal for a regulation

Annex I – Part IV – point 24 – paragraph 2 – point 2

Directive 2003/10/EC

Article 12 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 12 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 12 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of***

power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 25

Proposal for a regulation

Annex I – Part IV – point 25 – paragraph 2 – point 2

Directive 2004/37/EC

Article 17 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 17 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 17 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 26

Proposal for a regulation

Annex I – Part IV – point 26 – paragraph 2 – point 2

Directive 2006/25/EC

Article 10 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 27

Proposal for a regulation

Annex I – Part IV – point 27 – paragraph 2 – point 2

Directive 2009/104/EC

Article 11 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for ***an indeterminate***

Amendment

2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for ***a*** period of ***five***

period of **time** from [date of entry into force of this **Omnibus**].

*years from ... [date of entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 28

Proposal for a regulation

Annex I – Part IV – point 28 – paragraph 2 – point 3

Directive 2009/148/EC

Article 18 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 18(2) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 18 (2) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.**

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 29

Proposal for a regulation

Annex I – Part V – point 29 – paragraph 2 – point 8

Directive 2009/73/EC

Article 50 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6(4), Article 11(10), Article 15(3), Article 36(10), Article 42(5), Article 43(9) and Article 44(4) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 6(4), Article 11(10), Article 15(3), Article 36(10), Article 42(5), Article 43(9) and Article 44(4) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 30

Proposal for a regulation

Annex I – Part V – point 30 – paragraph 2 – point 6

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3(5), Article 6(11), Article 7(3), Article 12(3) and Article 23(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 3(5), Article 6(11), Article 7(3), Article 12(3) and Article 23(2) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 31

Proposal for a regulation

Annex I – Part V – point 31 – paragraph 2 – point 2

Regulation (EC) No 1222/2009

Article 12 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not***

later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 32

Proposal for a regulation

Annex I – Part VI – point 32 – paragraph 2 – point 6

Directive 91/271/EEC

Article 17 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3(2), Article 4(3), Article 5(3), Article 11(2) and Article 12(3) shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 3(2), Article 4(3), Article 5(3), Article 11(2) and Article 12(3) shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 33

Proposal for a regulation

Annex I – Part VI – point 33 – paragraph 2 – point 2

Directive 91/676/EEC

Article 8 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 34

Proposal for a regulation

Annex I – Part VI – point 34 – paragraph 2 – point 3

Directive 94/63/EC

Article 7 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(1) and Article 7 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 4(1) and Article 7 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 35

Proposal for a regulation

Annex I – Part VI – point 35 – paragraph 2 – point 3

Directive 96/59/EC

Article 10 b – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 10(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 10(2) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the***

European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 36

Proposal for a regulation

Annex I – Part VI – point 36 – paragraph 4 – point 2

Directive 98/83/EC

Article 11 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 11(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 11(2) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 37

Proposal for a regulation

Annex I – Part VI – point 37 – paragraph 3 – point 6

Directive 2000/53/EC

Article 9 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(2)(b), Article 5(5), Article 6(6), Article 7(2) and Article 8(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in point (b) of Article 4(2), Article 5(5), Article 6(6), Article 7(2) and Article 8(2) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 38

Proposal for a regulation

Annex I – Part VI – point 38 – paragraph 3 – point 3

Directive 2000/60/EC

Article 20 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 8(3), in the first

Amendment

2. The power to adopt delegated acts referred to in Article 8(3), in the first

subparagraph of Article 20(1) and in Annex V, paragraph 1.4.1, point (ix), shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

subparagraph of Article 20(1) and in Annex V, paragraph 1.4.1, point (ix), shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 39

Proposal for a regulation

Annex I – Part VI – point 39 – paragraph 2 – point 3

Directive 2002/49/EC

Article 12 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6(2) and (3) and Article 12 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 6(2) and (3) and Article 12 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of***

each period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 40

Proposal for a regulation

Annex I – Part VI – point 40 – paragraph 2 – point 2

Directive 2004/42/EC

Article 11 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 41

Proposal for a regulation

Annex I – Part VI – point 41 – paragraph 2 – point 2

Directive 2004/107/EC

Article 5 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(15) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 4(15) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 42

Proposal for a regulation

Annex I – Part VI – point 42 – paragraph 3 – point 2

Directive 2006/7/EC

Article 15 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 15(2) shall be conferred on the Commission for ***an***

Amendment

2. The power to adopt delegated acts referred to in Article 15(2) shall be conferred on the Commission for ***a*** period

indeterminate period of *time* from [date of entry into force of this **Omnibus**].

of *five years* from ... [date of entry into force of this **amending Regulation**]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 43

Proposal for a regulation

Annex I – Part VI – point 43 – paragraph 3 – point 2

Directive 2006/21/EC

Article 22 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 22(2) and (3) shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 22(2) and (3) shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this **amending Regulation**]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 44

Proposal for a regulation

Annex I – Part VI – point 44 – paragraph 2 – point 2

Directive 2006/118/EC

Article 8 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 45

Proposal for a regulation

Annex I – Part VI – point 45 – paragraph 2 – point 3

Regulation (EC) No 166/2006

Article 18 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 8(3) and Article 18 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 8(3) and Article 18 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 46

Proposal for a regulation

Annex I – Part VI – point 46 – paragraph 3 – point 5

Directive 2007/2/EC

Article 21 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(7), Article 7(1), Article 16 and Article 17(8) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 4(7), Article 7(1), Article 16 and Article 17(8) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods***

of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 47

Proposal for a regulation

Annex I – Part VI – point 47 – paragraph 2 – point 2

Directive 2007/60/EC

Article 11 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 11(2) shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 11(2) shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 48

Proposal for a regulation

Annex I – Part VI – point 48 – paragraph 2 – point 2

Directive 2008/50/EC

Article 28 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 28(1) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 28(1) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 49

Proposal for a regulation

Annex I – Part VI – point 49 – paragraph 2 – point 4

Directive 2008/56/EC

Article 24 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 9(3), Article 11(4) and Article 24(1) shall be conferred on the

Amendment

2. The power to adopt delegated acts referred to in Article 9(3), Article 11(4) and Article 24(1) shall be conferred on the

Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 50

Proposal for a regulation

Annex I – Part VI – point 50 – paragraph 3 – point 4

Regulation (EC) No 1272/2008

Article 53 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 37(5), Article 45(4) and Article 53(1) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 37(5), Article 45(4) and Article 53(1) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 51

Proposal for a regulation

Annex I – Part VI – point 51 – paragraph 2 – point 2

Directive 2009/126/EC

Article 8 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 52

Proposal for a regulation

Annex I – Part VI – point 52 – paragraph 2 – point 2

Directive 2009/147/EC

Article 15 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 15 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 15 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 53

Proposal for a regulation

Annex I – Part VI – point 53 – paragraph 1

Text proposed by the Commission

In order to update Regulation (EC) No 1221/2009 and to establish evaluation procedures, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Regulation and to supplement it ***with*** procedures for carrying out the peer evaluation of the EMAS Competent Bodies. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be

Amendment

In order to update Regulation (EC) No 1221/2009 and to establish evaluation procedures, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Regulation and to supplement it with procedures for carrying out the peer evaluation of the EMAS Competent Bodies ***and to provide sectoral reference documents as well as guidance documents referring to registration of organisations and to harmonisation procedures.*** It is of

conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016*. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

Justification

In line with amendments to Articles aligning measures previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 54

Proposal for a regulation Annex I – Part VI – point 53 – paragraph 2

Text proposed by the Commission

In order to ensure uniform conditions for the implementation of Regulation (EC) No 1221/2009 implementing powers should be conferred on the Commission concerning the harmonisation of certain procedures and in relation to sectoral reference documents. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Amendment

deleted

Or. en

Justification

In line with amendments to Articles aligning measures previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 55

Proposal for a regulation

Annex I – Part VI – point 53 – paragraph 3 – point 1

Regulation (EC) No 1221/2009

Article 16 – paragraph 4 – subparagraph 1

Text proposed by the Commission

Guidance documents referring to harmonisation procedures approved by the Forum of Competent Bodies ***shall be adopted by the Commission by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 49(2).***

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 48a to supplement this Regulation by establishing guidance documents on the harmonisation procedures approved by the Forum of Competent Bodies.

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 56

Proposal for a regulation

Annex I – Part VI – point 53 – paragraph 3 – point 2

Regulation (EC) No 1221/2009

Article 17 – paragraph 3

Text proposed by the Commission

“3. The Commission is empowered to adopt delegated acts in accordance with Article 48a ***concerning*** the procedures for carrying out the peer evaluation of the EMAS Competent Bodies, including appropriate appeals procedures against decisions taken as a result of the peer

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 48a ***to supplement this Regulation by establishing*** the procedures for carrying out the peer evaluation of the EMAS Competent Bodies, including appropriate appeals procedures against decisions taken

evaluation.”

as a result of the peer evaluation.”

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 57

Proposal for a regulation

Annex I – Part VI – point 53 – paragraph 3 – point 3

Regulation (EC) No 1221/2009

Article 30 – paragraph 6 – subparagraph 1

Text proposed by the Commission

The Commission ***shall*** adopt ***guidance documents referring to*** harmonisation procedures approved by the Forum of the Accreditation and Licensing Bodies ***by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 49(2).***

Amendment

The Commission ***is empowered to*** adopt ***delegated acts in accordance with Article 48a to supplement this Regulation by establishing guidance documents on the*** harmonisation procedures approved by the Forum of the Accreditation and Licensing Bodies.

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 58

Proposal for a regulation

Annex I – Part VI – point 53 – paragraph 3 – point 4

Regulation (EC) No 1221/2009

Article 46 – paragraph 6

Text proposed by the Commission

“6. The Commission ***shall adopt*** the sectoral reference documents referred to in

Amendment

“6. The Commission ***is empowered to adopt delegated acts in accordance with***

paragraph 1 and the guide referred to in paragraph 4 *by means of implementing acts in accordance with the procedure referred to in Article 49(2).*”

Article 48a to supplement this Regulation by adopting the sectoral reference documents referred to in paragraph 1 and the guide referred to in paragraph 4.”

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 59

Proposal for a regulation

Annex I – Part VI – point 53 – paragraph 3 – point 6

Regulation (EC) No 1221/2009

Article 48 a

Text proposed by the Commission

“Article 48a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 17(3) and Article 48 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

3. The delegation of power referred to in Article 17(3) and Article 48 may be

Amendment

“Article 48a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article **16(4)**, Article 17(3), **Article 30(6)**, **Article 46(6)** and Article 48 shall be conferred on the Commission for *a* period of **five years** from ... [date of entry into force of this **amending Regulation**]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

3. The delegation of power referred to in Article **16(4)**, Article 17(3), **Article**

revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016**.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 17(3) and Article 48 shall enter into force only if no objection has been expressed either by the European Parliament or *by* the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p. 1.”

30(6), Article 46(6) and Article 48 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making *.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article *16(4)*, Article 17(3), *Article 30(6), Article 46(6)* and Article 48 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p. 1.”

Or. en

Justification

Alignment of the duration of the empowerment to Parliament’s general approach (see resolution of 25 February 2014, paragraph 9) and update of the references in line with previous amendments.

Amendment 60

Proposal for a regulation

Annex I – Part VI – point 54 – paragraph 4 – point 4

Regulation (EC) No 66/2010

Article 15 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6(7), Article 8(2) and Article 15 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 6(7), Article 8(2) and Article 15 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 61

Proposal for a regulation

Annex I – Part VII – point 55 – paragraph 3 – point 6

Regulation (EEC) No 3924/91

Article 9 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 2(6), Article 3(5), Article 4, Article 5(1) and Article 6 shall

Amendment

2. The power to adopt delegated acts referred to in Article 2(6), Article 3(5), Article 4, Article 5(1) and Article 6 shall

be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 62

Proposal for a regulation

Annex I – Part VII – point 56 – paragraph 2 – point 2

Regulation (EEC) No 696/93

Article 6 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 6 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each***

period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 63

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 1 – indent 4

Text proposed by the Commission

- supplement that Regulation with the criteria for the measurement of quality;

Amendment

- supplement that Regulation with the criteria for the measurement of quality *of the variables*;

Or. en

Justification

Alignment of the introductory text (recital) with amendment proposed for Article 10(5) of Regulation (EC) No 1165/98.

Amendment 64

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 2

Regulation (EC) No 1165/98

Article 4 – paragraph 2 – point d – subparagraph 2

Text proposed by the Commission

(2) in Article 4(2), the second subparagraph is replaced by the following:

“The details of the schemes referred to in the first subparagraph shall be as specified in the Annexes. The Commission is empowered to adopt delegated acts in

Amendment

(2) in *point (d) of* Article 4(2), the second subparagraph is replaced by the following:

“The details of the schemes referred to in the first subparagraph shall be as specified in the Annexes. The Commission is empowered to adopt delegated acts in

accordance with Article 18a **concerning** their approval and application.”

accordance with Article 18a **to supplement this Regulation by further specifying** their approval and application.”

Or. en

Justification

Following recent caselaw of the Court of Justice, it is advisable that the empowerment clearly specifies whether the power is to supplement or to amend the legal act.

Amendment 65

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 3

Regulation (EC) No 1165/98

Article 10 – paragraph 5

Text proposed by the Commission

“5. The Commission is empowered to adopt delegated acts in accordance with Article 18a **concerning** the criteria for the measurement of quality.”

Amendment

“5. The Commission is empowered to adopt delegated acts in accordance with Article 18a **to supplement this Regulation by specifying** the criteria for the measurement of quality **of the variables**.”

Or. en

Justification

Amendment specifies empowerment (to supplement) and the precise subject of the delegated act.

Amendment 66

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 4 a (new)

Regulation (EC) No 1165/98

Article 18 – paragraph 3

Text proposed by the Commission

Amendment

(4a) in Article 18, paragraph 3 is deleted;

Justification

Paragraph 3 is a procedural provision relating to the Regulatory Procedure with Scrutiny, which is now redundant and thus deleted.

Amendment 67**Proposal for a regulation****Annex I – Part VII – point 57 – paragraph 4 – point 5**

Regulation (EC) No 1165/98

Article 18 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3(3), Article 4(2), Article **10**, Annex A points (a), (b) 3, (c) 2, (c) 10, (d) 2, (f) 8 and 9, Annex B points (b) 4 and (d) 2, Annex C points (b) 2, (d) 2 and (g) 2 and Annex D points (b) 2 and (d) 2 shall be conferred on the Commission for *an indeterminate* period of *time* [*from the* entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 3(3), **the second subparagraph of point (d) of** Article 4(2), Article **10(5)**, Annex A points (a), (b) 3, (c) 2, (c) 10, (d) 2, (f) 8 and 9, Annex B points (b) 4 and (d) 2, Annex C points (b) 2, (d) 2 and (g) 2 and Annex D points (b) 2 and (d) 2 shall be conferred on the Commission for **a period of five years from ...** [*date of* entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.**

Or. en

Justification

To ensure legal certainty, it is necessary to list specifically all the provisions granting delegated powers. The delegation of power is changed from an indefinite period to a period of five years consistent with the established practice in legislation in the area of ECON responsibilities and with Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 68

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 5

Regulation (EC) No 1165/98

Article 18 a – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to in Article 3(3), Article 4(2), Article **10**, Annex A points (a), (b) 3, (c) 2, (c) 10, (d) 2, (f) 8 and 9, Annex B points (b) 4 and (d) 2, Annex C points (b) 2, (d) 2 and (g) 2 and Annex D points (b) 2 and (d) 2 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment

3. The delegation of power referred to in Article 3(3), **the second subparagraph of point (d) of** Article 4(2), Article **10(5)**, Annex A points (a), (b) 3, (c) 2, (c) 10, (d) 2, (f) 8 and 9, Annex B points (b) 4 and (d) 2, Annex C points (b) 2, (d) 2 and (g) 2 and Annex D points (b) 2 and (d) 2 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Or. en

Justification

To ensure legal certainty, it is necessary to list specifically all the provisions granting delegated powers.

Amendment 69

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 5

Regulation (EC) No 1165/98

Article 18 a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 3(3), Article 4(2), Article **10**, Annex A points (a), (b) 3, (c) 2, (c) 10, (d) 2, (f) 8 and 9, Annex B points (b) 4 and (d) 2, Annex C points (b) 2, (d) 2 and (g) 2 and

Amendment

6. A delegated act adopted pursuant to Article 3(3), **the second subparagraph of point (d) of** Article 4(2), Article **10(5)**, Annex A points (a), (b) 3, (c) 2, (c) 10, (d) 2, (f) 8 and 9, Annex B points (b) 4 and (d)

Annex D points (b) 2 and (d) 2 shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

2, Annex C points (b) 2, (d) 2 and (g) 2 and Annex D points (b) 2 and (d) 2 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

Justification

To ensure legal certainty, it is necessary to list specifically all the provisions granting delegated powers. The scrutiny period is set at three months extendable once for further three months in line with the established practice in legislation in the area of ECON responsibilities.

Amendment 70

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 6 – point ii

Regulation (EC) No 1165/98

Annex A – point b – point 3

Text proposed by the Commission

“3. The Commission is empowered to adopt delegated acts in accordance with Article 18a **concerning the use of** other observation units.”

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 18a **to supplement this Regulation by providing for the possibility to use** other observation units.”

Or. en

Justification

Clarification of empowerment (to supplement) and its scope.

Amendment 71

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 6 – point iii

Regulation (EC) No 1165/98

Annex A – point c – point 2

Text proposed by the Commission

“2. The information on output prices for non-domestic markets (No 312) and import prices (No 340) may be compiled using unit values for products originating from foreign trade or other sources only if there is no significant deterioration in quality compared to specific price information. The Commission is empowered to adopt delegated acts in accordance with Article 18a **concerning** the conditions for assuring the necessary data quality.”

Amendment

“2. The information on output prices for non-domestic markets (No 312) and import prices (No 340) may be compiled using unit values for products originating from foreign trade or other sources only if there is no significant deterioration in quality compared to specific price information. The Commission is empowered to adopt delegated acts in accordance with Article 18a **to supplement this Regulation by determining** the conditions for assuring the necessary data quality.”

Or. en

Justification

Clarification of empowerment (to supplement).

Amendment 72

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 6 – point viii

Regulation (EC) No 1165/98

Annex A – point f – point 9

Text proposed by the Commission

“9. The variables on the non-domestic markets (Nos 122 and 312) are to be transmitted according to the distinction into **euro-zone and non-euro- zone**. The distinction is to be applied to the total industry defined as NACE Rev. 2 Sections B to E, the MIGs, the Section (1 letter) and Division 2-digit level of NACE Rev. 2. The information on NACE Rev. 2 D and E is not required for variable 122. In

Amendment

“9. The variables on the non-domestic markets (Nos 122 and 312) are to be transmitted according to the distinction into **euro-area and non-euro-area**. The distinction is to be applied to the total industry defined as NACE Rev. 2 Sections B to E, the MIGs, the Section (1 letter) and Division 2-digit level of NACE Rev. 2. The information on NACE Rev. 2 D and E is not required for variable 122. In

addition, the import price variable (No 340) is to be transmitted according to the distinction into *euro-zone and non-euro-zone*. The distinction is to be applied to the total industry defined as CPA Sections B to E, the MIGs, the Section (1 letter) and Division 2-digit level of CPA. For the distinction into the *euro-zone and non-euro-zone*, the Commission is empowered to adopt delegated acts in accordance with Article 18a ***concerning the determination of*** the terms for applying European sample schemes as defined in point (d) of the first subparagraph of Article 4(2). The European sample scheme may limit the scope of the import price variable to the import of products from *non-euro-zone* countries. The distinction into the *euro-zone* and non- *euro-zone* for the variables 122, 312 and 340 does not need to be transmitted by those Member States that have not adopted the euro as their currency.”

addition, the import price variable (No 340) is to be transmitted according to the distinction into *euro-area and non-euro-area*. The distinction is to be applied to the total industry defined as CPA Sections B to E, the MIGs, the Section (1 letter) and Division 2-digit level of CPA. For the distinction into the *euro-area and non-euro-area*, the Commission is empowered to adopt delegated acts in accordance with Article 18a ***to supplement this Regulation by determining*** the terms for applying European sample schemes as defined in point (d) of the first subparagraph of Article 4(2). The European sample scheme may limit the scope of the import price variable to the import of products from *non-euro-area* countries. The distinction into the *euro-area* and non- *euro-area* for the variables 122, 312 and 340 does not need to be transmitted by those Member States that have not adopted the euro as their currency.”

Or. en

Justification

The term ‘euro area’ is the official term for the group of countries that have adopted the euro as their single currency. Clarification of empowerment (to supplement).

Amendment 73

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 7 – point i

Regulation (EC) No 1165/98

Annex B – point b – point 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts in accordance with Article 18a ***concerning the use of*** other observation units.”

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 18a ***to supplement this Regulation by providing for the possibility to use*** other observation units.”

Or. en

Justification

Clarification of empowerment (to supplement) and its scope.

Amendment 74

Proposal for a regulation

Annex I – part VII – point 57 – paragraph 4 – point 8 – point i

Regulation (EC) No 1165/98

Annex C – point b – point 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 18a *concerning the use of* other observation units.”

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 18a *to supplement this Regulation by providing for the possibility to use* other observation units.”

Or. en

(The numbering of the Commission proposal should be corrected. Point (9) is actually point (8))

Justification

Clarification of empowerment (to supplement) and its scope.

Amendment 75

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 8 – point iii

Regulation (EC) No 1165/98

Annex C – point c – point 4

Text proposed by the Commission

(iii) in point (c) 4., the *last paragraph* is deleted;

Amendment

(iii) in point (c)4, the *third subparagraph* is deleted;

Or. en

(The numbering of the Commission proposal should be corrected. Point (9) is actually point (8))

Justification

Aligning the wording to the standards for legal drafting of Union legislation.

Amendment 76

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 8 – point v

Regulation (EC) No 1165/98

Annex C – point g – point 2

Text proposed by the Commission

“2. The variables shall be transmitted for turnover (No 120) and the deflator of sales/volume of sales (No 330/123) within one month for the level of detail specified in paragraph 3 under heading (f) of this Annex. Member States may choose to participate for the turnover and deflator of sales/ volume of sales variables No 120 and 330/123 with contributions according to the allocation of a European sample scheme as defined in point (d) of the first subparagraph of Article 4(2). The Commission is empowered to adopt delegated acts in accordance with Article 18a **concerning** the terms of the allocation of a European sample scheme.”

Amendment

“2. The variables shall be transmitted for turnover (No 120) and the deflator of sales/volume of sales (No 330/123) within one month for the level of detail specified in paragraph 3 under heading (f) of this Annex. Member States may choose to participate for the turnover and deflator of sales/ volume of sales variables No 120 and 330/123 with contributions according to the allocation of a European sample scheme as defined in point (d) of the first subparagraph of Article 4(2). The Commission is empowered to adopt delegated acts in accordance with Article 18a **to supplement this Regulation by determining** the terms of the allocation of a European sample scheme.”

Or. en

(The numbering of the Commission proposal should be corrected. Point (9) is actually point (8))

Justification

Clarification of empowerment (to supplement).

Amendment 77

Proposal for a regulation

Annex I – Part VII – point 57 – paragraph 4 – point 9 – point i

Regulation (EC) No 1165/98

Annex D – point b – point 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 18a **concerning the use of** other observation units.”

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 18a **to supplement this Regulation by providing for the possibility to use** other observation units.”

Or. en

(The numbering of the Commission proposal should be corrected. Point (10) is actually point (9))

Justification

Clarification of empowerment (to supplement) and its scope.

Amendment 78

Proposal for a regulation

Annex I – part VII – point 57 – paragraph 4 – point 9 – point iv

Regulation (EC) No 1165/98

Annex D – point d – point 2

Text proposed by the Commission

“2. The turnover variable (No 120) is also to be transmitted in working-day adjusted form. Wherever other variables show working-day effects, Member States may also transmit those variables in working-day adjusted form. The Commission is empowered to adopt delegated acts in accordance with Article 18a concerning the amendment of the list of variables to be transmitted in working-day adjusted form **may be amended by the Commission.**”

Amendment

“2. The turnover variable (No 120) is also to be transmitted in working-day adjusted form. Wherever other variables show working-day effects, Member States may also transmit those variables in working-day adjusted form. The Commission is empowered to adopt delegated acts in accordance with Article 18a concerning the amendment of the list of variables to be transmitted in working-day adjusted form”;

Or. en

(The numbering of the Commission proposal should be corrected. Point (10) is actually point (9))

Amendment 79

Proposal for a regulation

Annex I – Part VII – point 58 – paragraph 1

Text proposed by the Commission

In order to adapt Regulation (EC) No 530/1999 with a view to taking account of economic and technical changes, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to supplement that Regulation with the definition and breakdown of the information to be provided and the quality evaluation *criteria*. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016*. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment

In order to adapt Regulation (EC) No 530/1999 with a view to taking account of economic and technical changes, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to supplement that Regulation with the definition and breakdown of the information to be provided and the *criteria for* quality evaluation *of the statistics*. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

Justification

Alignment with the amendment proposed for Article 10(3) of Regulation (EC) No 530/1999.

Amendment 80

Proposal for a regulation

Annex I – Part VII – point 58 – paragraph 3 – point 1

Regulation (EC) No 530/1999

Article 6 – paragraph 3

Text proposed by the Commission

“3. The Commission is empowered to adopt delegated acts in accordance with Article 10a **concerning** the definition and breakdown of the information to be provided under paragraphs 1 and 2 of this Article. These delegated acts shall be adopted for each reference period at least nine months before the beginning of the reference period.”

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 10a **to supplement this Regulation by specifying** the definition and breakdown of the information to be provided under paragraphs 1 and 2 of this Article. These delegated acts shall be adopted for each reference period at least nine months before the beginning of the reference period.”

Or. en

Justification

Clarification of empowerment (to supplement).

Amendment 81

Proposal for a regulation

Annex I – Part VII – point 58 – paragraph 3 – point 3

Regulation (EC) No 530/1999

Article 10 – paragraph 3

Text proposed by the Commission

“3. The Commission is empowered to adopt delegated acts in accordance with Article 10a **concerning the** quality evaluation **criteria**. Those delegated acts shall be adopted for each reference period at least nine months before the beginning of the reference period.”

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 10a **to supplement this Regulation by specifying the criteria for** quality evaluation **of the statistics**. Those delegated acts shall be adopted for each reference period at least nine months before the beginning of the reference period.”

Or. en

Justification

Clarification of empowerment (to supplement) and its scope.

Amendment 82

Proposal for a regulation

Annex I – Part VII – point 58 – paragraph 3 – point 4

Council Regulation (EC) No 530/1999

Article 10 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6(3) and Article 10(3) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 6(3) and Article 10(3) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.**

Or. en

Justification

Alignment of duration of empowerment to the established practice in legislation in the area of ECON responsibilities and to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 83

Proposal for a regulation

Annex I – Part VII – point 58 – paragraph 3 – point 4

Regulation (EC) No 530/1999

Article 10 a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 6(3) and Article 10(3) shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of **two** months of notification of that

Amendment

6. A delegated act adopted pursuant to Article 6(3) and Article 10(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act

act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Alignment of the duration of the scrutiny period to the established practice in legislation in the area of ECON responsibilities.

Amendment 84

Proposal for a regulation

Annex I – Part VII – point 59 – paragraph 4

Text proposed by the Commission

In order to ensure uniform conditions for the implementation of Regulation (EC) No 2150/2002 concerning the production of results, the appropriate format for the transmission of results and the **contents** of the quality reports implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Amendment

In order to ensure uniform conditions for the implementation of Regulation (EC) No 2150/2002 concerning the production of results, the appropriate format for the transmission of results and the **structure and detailed arrangements** of the quality reports implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Or. en

Justification

In line with amendment to Article aligning the wording to recent legislation in the area of statistics.

Amendment 85

Proposal for a regulation

Annex I – Part VII – point 59 – paragraph 5 – point 1

Text proposed by the Commission

“5. The Commission is empowered to adopt delegated acts in accordance with Article 5b **concerning the establishment of** a table of equivalence between the statistical nomenclature of Annex III to this Regulation and the list of waste established by Commission Decision 2000/532/EC.*

* Commission Decision of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste (OJ L 226, 6.9.2000, p. 3).”

Amendment

“5. The Commission is empowered to adopt delegated acts in accordance with Article 5b **to supplement this Regulation by establishing** a table of equivalence between the statistical nomenclature of Annex III to this Regulation and the list of waste established by Commission Decision 2000/532/EC.*

* Commission Decision of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste (OJ L 226, 6.9.2000, p. 3).”

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 86

Proposal for a regulation

Annex I – Part VII – point 59 – paragraph 5 – point 2 – point a

Regulation (EC) No 2150/2002

Article 3 – paragraph 1 – subparagraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 5b **concerning** the definition the quality and accuracy conditions.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 5b **to supplement this Regulation by defining** the quality and accuracy conditions.”

Or. en

Justification

Clarification of empowerment (to supplement).

Amendment 87

Proposal for a regulation

Annex I – Part VII – point 59 – paragraph 5 – point 4

Regulation (EC) No 2150/2002

Article 5 a – paragraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 5b ***concerning the adjustment*** to economic and technical developments in the collection and statistical processing of data, as well as the processing and the transmission of results and ***the adaptation of*** the specifications listed in the Annexes.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 5b ***to amend this Regulation by adjusting it*** to economic and technical developments in the collection and statistical processing of data, as well as the processing and the transmission of results and ***by adapting*** the specifications listed in the Annexes.

Or. en

Justification

Clarification of empowerment (i.e. to amend).

Amendment 88

Proposal for a regulation

Annex I – Part VII – point 59 – paragraph 5 – point 4

Regulation (EC) No 2150/2002

Article 5 b – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 1(5), Article 3(1) and (4) and Article 5a, shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [[date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 1(5), Article 3(1) and (4), and Article 5a, shall be conferred on the Commission for ***a period of five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not***

later than three months before the end of each period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 89

Proposal for a regulation

Annex I – Part VII – point 59 – paragraph 5 – point 5

Regulation (EC) No 2150/2002

Article 6 – paragraph 1 – point c

Text proposed by the Commission

(c) the ***contents*** of the quality reports as referred to in Section 7 of Annex I and Section 7 of Annex II.

Amendment

(c) the ***structure and detailed arrangements*** of the quality reports as referred to in Section 7 of Annex I and Section 7 of Annex II.

Or. en

Justification

This amendment is consistent with other amendments to this proposal and with more recent legislation in the area of statistics. Since the appropriate scope and intention of this paragraph seems to be to define structure and modalities of the report, this is clarified by the proposed amendment. In the spirit of good cooperation with the other institutions this amendment is also showing the effort of the European Parliament to find an agreement on this file by accepting the proposed procedure.

Amendment 90

Proposal for a regulation

Annex I – Part VII – point 60 – paragraph 3 – point 2

Regulation (EC) No 437/2003

Article 5 – paragraph 2

Text proposed by the Commission

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 10a *concerning the establishment of* other standards of accuracy.;

The Commission is empowered to adopt delegated acts in accordance with Article 10a *to supplement this Regulation by establishing* other standards of accuracy.;

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 91

Proposal for a regulation

Annex I – Part VII – point 60 – paragraph 3 – point 5

Regulation (EC) No 437/2003

Article 10 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3(1) and Article 5 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 3(1) and Article 5 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 92

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 1 – indent 3 a (new)

Text proposed by the Commission

Amendment

- **supplement that Regulation by adopting measures regarding the provision of the data pursuant to the results of the feasibility studies.**

Or. en

Justification

Alignment of introduction with proposed changes to Article 10(5) of Regulation (EC) No 450/2003.

Amendment 93

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 3

Text proposed by the Commission

Amendment

In order to ensure uniform conditions for the implementation of Regulation (EC) No 450/2003 concerning the **content of** the quality report, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

In order to ensure uniform conditions for the implementation of Regulation (EC) No 450/2003 concerning the **structure and detailed arrangements for** the quality report, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Or. en

Justification

Alignment of introduction with proposed changes to Article 8(2) of Regulation (EC) No 450/2003.

Amendment 94

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 4 – point 1

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts in accordance with Article 11a concerning amendments to redefine the technical specification of the index and revise the weighting structure.”

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 11a **amending the Annex** to redefine the technical specification of the index and revise the weighting structure.”

Or. en

Justification

Clarification of the empowerment.

Amendment 95

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 4 – point 2

Regulation (EC) No 450/2003

Article 3 – paragraph 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 11a concerning the amendments for the inclusion of economic activities defined by NACE Rev.2 sections O to S in the scope of this Regulation, taking into account the feasibility studies **defined** in Article 10.”

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 11a concerning the amendments for the inclusion of economic activities defined by NACE Rev.2 sections O to S in the scope of this Regulation, taking into account the feasibility studies **provided for** in Article 10.”

Or. en

Justification

Clarification of the empowerment. Article 10 of Regulation (EC) No 450/2003 establishes the drawing-up of feasibility studies, but does not define them.

Amendment 96

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 4 – point 3

Text proposed by the Commission

Taking account of contributions to total employment and to labour costs at Union and national levels, the Commission is empowered to adopt delegated acts in accordance with Article 11a **concerning the identification of the** economic activities defined by NACE Rev. 2 sections and by further disaggregations, not beyond the level of NACE Rev. 2 divisions (2-digit level) or groupings of divisions in which the data shall be broken down taking account of economic and social developments.

Amendment

Taking account of contributions to total employment and to labour costs at Union and national levels, the Commission is empowered to adopt delegated acts in accordance with Article 11a **to supplement this Regulation as regards the breakdown by** economic activities defined by NACE Rev. 2 sections and by further disaggregations, not beyond the level of NACE Rev. 2 divisions (2-digit level) or groupings of divisions in which the data shall be broken down taking account of economic and social developments.

Or. en

Justification

Clarification of empowerment (to supplement) and its scope.

Amendment 97

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 4 – point 3

Regulation (EC) No 450/2003

Article 4 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 11a **concerning the determination of** these economic activities, taking into account the feasibility studies **defined** in Article 10.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 11a **to supplement this Regulation by determining** these economic activities, taking into account the feasibility studies **provided for** in Article 10.

Or. en

Justification

Clarification of empowerment (to supplement) and its scope.

Amendment 98

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 4 – point 3

Regulation (EC) No 450/2003

Article 4 – paragraph 3

Text proposed by the Commission

“3. The Commission is empowered to adopt delegated acts in accordance with Article 11a **concerning the establishment of** the methodology for chaining the index.”

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 11a **to supplement this Regulation by establishing** the methodology for chaining the index.”

Or. en

Justification

Clarification of empowerment (to supplement) and its scope.

Amendment 99

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 4 – point 4

Regulation (EC) No 450/2003

Article 8 – paragraph 1

Text proposed by the Commission

“1. The Commission is empowered to adopt delegated acts in accordance with Article 11a **concerning the definition of** separate quality criteria. The current data and back data transmitted shall satisfy these quality criteria.”

Amendment

“1. The Commission is empowered to adopt delegated acts in accordance with Article 11a **to supplement this Regulation by defining** separate quality criteria. The current data and back data transmitted shall satisfy these quality criteria.”

Or. en

Justification

Clarification of empowerment (to supplement).

Amendment 100

Proposal for a regulation

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Annex I – Part VII – point 61 – paragraph 4 – point 4
Regulation (EC) No 450/2003
Article 8 – paragraph 2

Text proposed by the Commission

“2. The Member States shall provide annual quality reports to the Commission, beginning in 2003. The **content** of the reports shall be defined by the Commission by means of implementing **act**. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 12(2).”

Amendment

“2. The Member States shall provide annual quality reports to the Commission, beginning in 2003. The **structure and detailed arrangements for** the reports shall be defined by the Commission by means of implementing **acts**. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 12(2).”

Or. en

Justification

It is not appropriate to set out the content of such reports by means of implementing act. Since the appropriate scope and intention of this paragraph seems to be to define structure and modalities of the report, this is clarified by the proposed amendment. This is also consistent with more recent legislation in the area of statistics.

Amendment 101

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 4 – point 4 a (new)
Regulation (EC) No 450/2003
Article 9

Text proposed by the Commission

Amendment

(4a) Article 9 is deleted.

Or. en

Justification

Article 9 pertains to transposition periods and derogations which have expired in the meantime. The article is thus superfluous and should be deleted.

Amendment 102

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 4 – point 5 – point a

Text proposed by the Commission

“5. The Commission **shall** adopt **measures pursuant to the results** of the **feasibility studies by means of implementing act. Those implementing acts shall be adopted in accordance with the procedure** referred to in Article **12(2)**. Those **measures** shall respect the principle of cost-effectiveness, as defined in Article 2 of Regulation (EC) No 223/2009, including the minimisation of the burden on respondents.”

Amendment

“5. The Commission **is empowered to** adopt **delegated acts in accordance with Article 11a to supplement this Regulation concerning the provision** of the **data referred to in paragraph 2 of this Article pursuant to the results of the feasibility studies** referred to in **this** Article. Those **delegated acts** shall respect the principle of cost-effectiveness, as defined in Article 2 of Regulation (EC) No 223/2009, including the minimisation of the burden on respondents.”

Or. en

Justification

It is not appropriate to for such measures to be adopted by means of implementing acts, as the empowerment goes beyond the setting ‘of uniform conditions for implementing legally binding Union acts’ as described in Article 291 TFEU. This empowerment must therefore be in the form of a delegated act.

Amendment 103

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 4 – point 7

Regulation (EC) No 450/2003

Article 11 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 2(4), Article 3(2) **and** Article 4 shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 2(4), Article 3(2), Article 4(1), (2) **and** (3), **Article 8(1) and Article 10(5)** shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be**

tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

Justification

Alignment of references and duration of the empowerment (see Parliament's resolution of 25 February 2014, paragraph 9).

Amendment 104

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 4 – point 7

Regulation (EC) No 450/2003

Article 11 a – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to in Article 2(4), Article 3(2) **and** Article 4 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment

3. The delegation of power referred to in Article 2(4), Article 3(2), Article 4(1), (2) **and (3), Article 8(1) and Article 10(5)** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Or. en

Justification

Alignment of references.

Amendment 105

Proposal for a regulation

Annex I – Part VII – point 61 – paragraph 4 – point 7

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 2(4), Article 3(2) **and** Article 4 shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 2(4), Article 3(2), Article 4(1), (2) **and (3), Article 8(1) and Article 10(5)** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Alignment of references, scrutiny period and its extension.

Amendment 106

Proposal for a regulation

Annex I – Part VI – point 62 – paragraph 3 – point 2

Regulation (EC) No 808/2004

Article 8 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 8(1) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 8(1) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the**

***European Parliament or the Council
opposes such extension not later than
three months before the end of each
period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 107

Proposal for a regulation

Annex I – Part VII – point 63 – paragraph 1 – indent 2

Text proposed by the Commission

- amend that Regulation to ***adapt*** the proportion of the Union total;

Amendment

- amend that Regulation to ***adjust*** the proportion of the Union total;

Or. en

Justification

Alignment with the amendment proposed for Article 3(3).

Amendment 108

Proposal for a regulation

Annex I – Part VII – point 63 – paragraph 3 – point 1 – point a

Regulation (EC) No 1161/2005

Article 2 – paragraph 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 7a ***concerning*** the timetable for the transmission of items P.1, P.2, D.42, D.43, D.44, D.45, and B.4G, and ***any decision to require*** a breakdown of the transactions listed in the Annex by counterPart sector. Any such ***decision*** shall only be adopted

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 7a ***to supplement this Regulation by specifying*** the timetable for the transmission of items P.1, P.2, D.42, D.43, D.44, D.45, and B.4G, and ***by requiring*** a breakdown of the transactions listed in the Annex by counterpart sector. Any such

after the Commission has reported to the European Parliament and the Council on the implementation of this Regulation pursuant to Article 9.”;

delegated act shall only be adopted after the Commission has reported to the European Parliament and the Council on the implementation of this Regulation pursuant to Article 9.”;

Or. en

Justification

Clarification of empowerment (to supplement) and scope.

Amendment 109

Proposal for a regulation

Annex I – Part VII – point 63 – paragraph 3 – point 1 – point b a (new)

Regulation (EC) No 1161/2005

Article 2 – paragraph 5

Text proposed by the Commission

Amendment

(ba) paragraph 5 is deleted;

Or. en

Justification

Paragraph 5 refers to transmission data in 2004 and is thus obsolete; it should be deleted.

Amendment 110

Proposal for a regulation

Annex I – Part VII – point 63 – paragraph 3 – point 2

Regulation (EC) No 1161/2005

Article 3 – paragraph 3

Text proposed by the Commission

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 7a amending paragraph 1 of this Article ***as regards*** the proportion of the Union total.”

“3. The Commission is empowered to adopt delegated acts in accordance with Article 7a amending paragraph 1 of this Article ***to adjust*** the proportion ***(1%)*** of the Union total.”

Or. en

Justification

Clarification of the (scope of the) empowerment.

Amendment 111

Proposal for a regulation

Annex I – Part VII – point 63 – paragraph 3 – point 3

Regulation (EC) No 1161/2005

Article 6 – paragraph 1 – subparagraph 1

Text proposed by the Commission

“1. The Commission is empowered to adopt delegated acts in accordance with Article 7a **concerning the adoption of** common quality standards.”

Amendment

“1. The Commission is empowered to adopt delegated acts in accordance with Article 7a **to supplement this Regulation by establishing** common quality standards.”

Or. en

Justification

Clarification of empowerment (to supplement).

Amendment 112

Proposal for a regulation

Annex I – Part VII – point 63 – paragraph 3 – point 4

Regulation (EC) No 1161/2005

Article 7 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 2(2) and (4), Article 3(3) and Article 6(1) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 2(2) and (4), Article 3(3) and Article 6(1) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not**

later than three months before the end of each period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 113

Proposal for a regulation

Annex I – Part VII – point 63 – paragraph 3 – point 4

Regulation (EC) No 1161/2005

Article 7 a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 2(2) and (4), Article 3(3) and Article 6(1) shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 2(2) and (4), Article 3(3) and Article 6(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Alignment of the scrutiny period and its extension.

Amendment 114

Proposal for a regulation

Annex I – Part VII – point 64 – paragraph 3 – point 4 – point b

Regulation (EC) No 1552/2005

Article 9 – paragraph 5

Text proposed by the Commission

“5. **The Commission shall determine the structure of** the quality reports referred to in paragraph 2 by means of implementing **act**. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 14(2).”

Amendment

“5. **When drawing up** the quality reports referred to in paragraph 2, **Member States shall comply with the quality requirements and any other measure established pursuant to paragraph 4. In order to assess the quality of the data transmitted, they shall use the format determined by the** Commission by means of implementing **acts**. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 14(2).”

Or. en

Justification

This amendment makes it clear that the structure of the quality reports, adopted by means of implementing act, refers to the format that Member States shall use when they have to assess the quality of data transmitted, and that this assessment is based on the quality criteria already adopted by means of delegated acts.

Amendment 115

Proposal for a regulation

Annex I – Part VII – point 64 – paragraph 3 – point 7

Regulation (EC) No 1552/2005

Article 13 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 5(2), Article 7(3), Article 8(2), Article 9(4), Article 10(2) and Article 13 shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 5(2), Article 7(3), Article 8(2), Article 9(4), Article 10(2) and Article 13 shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not**

later than three months before the end of each period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 116

Proposal for a regulation

Annex I – Part VII – point 65 – paragraph 2 – point 1

Regulation (EC) No 1893/2006

Article 6 – paragraph 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 6a amending *the Annex* to take account of technological or economic developments or to align it with other economic and social classifications.”

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 6a amending *Annex I to this Regulation* to take account of technological or economic developments or to align it with other economic and social classifications.”

Or. en

Justification

Clarification of the reference (as there is more than one Annex).

Amendment 117

Proposal for a regulation

Annex I – Part VII – point 65 – paragraph 2 – point 2

Regulation (EC) No 1893/2006

Article 6 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6(2) shall be conferred on the Commission for *an*

Amendment

2. The power to adopt delegated acts referred to in Article 6(2) shall be conferred on the Commission for *a* period

indeterminate period of *time* from [date of entry into force of this *Omnibus*].

of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 118

Proposal for a regulation

Annex I – Part VII – point 65 – paragraph 2 – point 2

Regulation (EC) No 1893/2006

Article 6 a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 6(2) shall enter into force only if no objection has been expressed either by the European Parliament or *by* the Council within a period of *two* months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by *two* months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 6(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of *three* months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by *three* months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Alignment of scrutiny period and its extension.

Amendment 119

Proposal for a regulation

Annex I – Part VII – point 66 – paragraph 2 – point 3

Regulation (EC) No 458/2007

Article 7 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 7(3) and Annex I, point 1.1.2.4. shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 7(3) and Annex I, point 1.1.2.4. shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 120

Proposal for a regulation

Annex I – Part VII – point 67 – paragraph 1

Text proposed by the Commission

In order to adapt Regulation (EC) No 716/2007 to economic and technical developments the power to adopt acts in

Amendment

In order to adapt Regulation (EC) No 716/2007 to economic and technical developments the power to adopt acts in

accordance with Article 290 of the Treaty should be delegated to the Commission to amend the definitions in Annexes I and II and the level of detail in Annex III and to supplement that Regulation with measures concerning inward and outward statistics on foreign affiliates.

accordance with Article 290 of the Treaty should be delegated to the Commission to amend the definitions in Annexes I and II and the level of detail in Annex III and to supplement that Regulation with measures concerning inward and outward statistics on foreign affiliates ***and common quality standards***.

Or. en

Justification

More specific description of the empowerment, see also amendment to Article 6(3) of this Regulation (EC) No 716/2007).

Amendment 121

Proposal for a regulation

Annex I – Part VII – point 67 – paragraph 4 – point 2

Regulation (EC) No 716/2007

Article 5 – paragraph 4 – subparagraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 9a ***concerning*** the necessary measures for inward and outward statistics on foreign affiliates, on the basis of the conclusions of the pilot studies.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 9a ***to supplement this Regulation by determining*** the necessary measures for inward and outward statistics on foreign affiliates, on the basis of the conclusions of the pilot studies.

Or. en

Justification

Clarification of empowerment (to supplement).

Amendment 122

Proposal for a regulation

Annex I – Part VII – point 67 – paragraph 4 – point 3

Regulation (EC) No 716/2007

Article 6 – paragraph 3

Text proposed by the Commission

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 9a **concerning** common quality standards.”

“3. The Commission is empowered to adopt delegated acts in accordance with Article 9a **to supplement this Regulation by establishing the** common quality standards **referred to in paragraph 1.**”

Or. en

Justification

Clarification of empowerment (to supplement) and scope, in order to make them more specific.

Amendment 123

Proposal for a regulation

Annex I – Part VII – point 67 – paragraph 4 – point 4 – point a – point ii

Regulation (EC) No 716/2007

Article 9 – paragraph 1 – point c

Text proposed by the Commission

Amendment

“(c) defining the **contents** and periodicity of the quality reports.”

“(c) defining the **structure, detailed arrangements** and periodicity of the quality reports **referred to in Article 6(2).**”

Or. en

Justification

It is not appropriate to set out the content of such reports by means of implementing act. Since the appropriate scope and intention of this paragraph seems to be to define structure and modalities of the report, this is clarified by the proposed amendment. This is also consistent with more recent legislation in the area of statistics.

Amendment 124

Proposal for a regulation

Annex I – Part VII – point 67 – paragraph 4 – point 5

Regulation (EC) No 716/2007

Article 9 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 2, Article 5(4) and Article 6(3) shall be conferred on the Commission for ***an indeterminate*** period of ***time [from the*** entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in ***the second paragraph of*** Article 2, Article 5(4) and Article 6(3) shall be conferred on the Commission for ***a*** period of ***five years from ... [date of*** entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 125

Proposal for a regulation

Annex I – Part VII – point 67 – paragraph 4 – point 5

Regulation (EC) No 716/2007

Article 9 a – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to in Article 2, Article 5(4) and Article 6(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts

Amendment

3. The delegation of power referred to in ***the second paragraph of*** Article 2, Article 5(4) and Article 6(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the

already in force.

validity of any delegated acts already in force.

Or. en

Justification

Technical correction.

Amendment 126

Proposal for a regulation

Annex I – Part VII – point 67 – paragraph 4 – point 5

Regulation (EC) No 716/2007

Article 9 a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 2, Article 5(4) and Article 6(3) shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to **the second paragraph of** Article 2, Article 5(4) and Article 6(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Alignment of the scrutiny period and its extension.

Amendment 127

Proposal for a regulation

Annex I – Part VII – point 68 – paragraph 2 – point 3

Regulation (EC) No 862/2007

Article 10 a – paragraph 6

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 9a shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 9a shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 128

Proposal for a regulation

Annex I – Part VII – point 69 – paragraph 3 – point 1

Regulation (EC) No 1445/2007

Article 3 – paragraph 1 a

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 10a amending the definitions and amending the list of basic headings in Annex II to take account of economic and technical changes, insofar as this does not involve a disproportionate increase in costs for the Member States.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 10a amending the definitions ***set out in the first paragraph*** and amending the list of basic headings in Annex II to take account of economic and technical changes, insofar as this does not involve a disproportionate increase in costs for the Member States.”

Or. en

Justification

The empowerment needs to be more precise and its scope must be clearly defined as required by Article 290 of the Treaty.

Amendment 129

Proposal for a regulation

Annex I – Part VII – point 69 – paragraph 3 – point 2 – point a

Regulation (EC) No 1445/2007

Article 7 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts in accordance with Article 10a **concerning** common criteria on which the quality control is based.”

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 10a **to supplement this Regulation by establishing** common criteria on which the quality control **referred to in paragraph 1** is based.”

Or. en

Justification

The empowerment needs to be more precise and its scope must be clearly defined as required by Article 290 of the Treaty.

Amendment 130

Proposal for a regulation

Annex I – Part VII – point 69 – paragraph 3 – point 2 – point b

Regulation (EC) No 1445/2007

Article 7 – paragraph 5

Text proposed by the Commission

“5. The Commission shall **adopt** the structure **of** the quality reports, as specified in point 5.3 of Annex I, by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 11(2).”

Amendment

“5. The Commission shall **set out** the structure **and detailed arrangements for** the quality reports, as **referred to in paragraph 3 and** specified in point 5.3 of Annex I, by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 11(2).”

Or. en

Justification

The scope of the empowerment needs to be clearly defined.

Amendment 131

Proposal for a regulation

Annex I – Part VII – point 69 – paragraph 3 – point 3

Regulation (EC) No 1445/2007

Article 10 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3 and Article 7(4) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in ***the second paragraph of*** Article 3 and Article 7(4) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 132

Proposal for a regulation

Annex I – Part VII – point 69 – paragraph 3 – point 3

Regulation (EC) No 1445/2007

Article 10 a – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to

Amendment

3. The delegation of power referred to

in Article 3 and Article 7(4) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

in ***the second paragraph of*** Article 3 and Article 7(4) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Or. en

Justification

Technical correction.

Amendment 133

Proposal for a regulation

Annex I – Part VII – point 69 – paragraph 3 – point 3

Regulation (EC) No 1445/2007

Article 10 a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 3 and Article 7(4) shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to ***the second paragraph of*** Article 3 and Article 7(4) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of ***three*** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by ***three*** months at the initiative of the European Parliament or of the Council.

Or. en

Alignment of the scrutiny period and its extension.

Amendment 134

Proposal for a regulation

Annex I – Part VII – point 70 – paragraph 1

Text proposed by the Commission

In order to adapt Regulation (EC) No 177/2008 to economic and technical developments, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the list of register characteristics, their definition and their continuity rules in the Annex to that Regulation and to supplement that Regulation with common quality ***standards*** and rules for updating registers and by determining the extent to which certain enterprises and enterprise groups are to be included in the registers, specifying units consistent with those for agricultural statistics. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making ***of 13 April 2016***. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment

In order to adapt Regulation (EC) No 177/2008 to economic and technical developments, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the list of register characteristics, their definition and their continuity rules in the Annex to that Regulation and to supplement that Regulation with common ***standards for the quality of business registers*** and rules for updating registers and by determining the extent to which certain enterprises and enterprise groups are to be included in the registers, specifying units consistent with those for agricultural statistics. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement ***of 13 April 2016*** on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

Justification

Alignment with proposed amendment in Article 6(3) of Regulation (EC) No 177/2008.

Amendment 135

Proposal for a regulation

Annex I – Part VII – point 70 – paragraph 3 – point 1

Regulation (EC) No 177/2008

Article 3 – paragraph 6

Text proposed by the Commission

“6. The Commission is empowered to adopt delegated acts in accordance with Article 15a determining the extent to which enterprises with less than half a person employed and all resident enterprise groups of no statistical importance to the Member States are to be included in the registers, and the definition of units consistent with those for agricultural statistics.”

Amendment

“6. The Commission is empowered to adopt delegated acts in accordance with Article 15a **to supplement this Regulation by** determining the extent to which enterprises with less than half a person employed and all resident enterprise groups of no statistical importance to the Member States are to be included in the registers, and the definition of units consistent with those for agricultural statistics.”

Or. en

Justification

Clarification of empowerment (to supplement).

Amendment 136

Proposal for a regulation

Annex I – Part VII – point 70 – paragraph 3 – point 3

Regulation (EC) No 177/2008

Article 6 – paragraph 3 – subparagraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 15a **concerning** common **quality** standards.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 15a **to supplement this Regulation by establishing** common standards **for the quality of business registers as referred to in paragraph 1.**

Or. en

Justification

The empowerment needs to be more precise and its scope must be clearly defined as required by Article 290 of the Treaty.

Amendment 137

Proposal for a regulation

Annex I – Part VII – point 70 – paragraph 3 – point 3

Regulation (EC) No 177/2008

Article 6 – paragraph 3 – subparagraph 2

Text proposed by the Commission

The Commission shall adopt decisions concerning the **content** and periodicity of the quality reports by means of implementing **act**. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 16(2).

Amendment

The Commission shall adopt decisions concerning the **structure, detailed arrangements** and periodicity of the quality reports **referred to in paragraph 2** by means of implementing **acts**. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 16(2).

Or. en

Justification

It is not appropriate to set out the content of such reports by means of implementing act. Since the appropriate scope and intention of this paragraph seems to be to define structure and modalities of the report, this is clarified by the proposed amendment. This is also consistent with more recent legislation in the area of statistics.

Amendment 138

Proposal for a regulation

Annex I – Part VII – point 70 – paragraph 3 – point 4

Regulation (EC) No 177/2008

Article 8 – paragraph 3

Text proposed by the Commission

“3. The Commission is empowered to adopt delegated acts in accordance with Article 15a **concerning** the rules for updating registers.”

Amendment

“3. The Commission is empowered to adopt delegated acts in accordance with Article 15a **to supplement this Regulation by establishing** the rules for updating registers.”

Justification

Clarification of empowerment (to supplement).

Amendment 139

Proposal for a regulation

Annex I – Part VII – point 70 – paragraph 3 – point 6

Regulation (EC) No 177/2008

Article 15 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3(6), Article 5(2), Article 6(3) and Article 8(3) shall be conferred on the Commission for ***an indeterminate*** period of ***time [from the*** entry into force of the ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 3(6), Article 5(2), Article 6(3) and Article 8(3) shall be conferred on the Commission for ***a*** period of ***five years from ... [date of*** entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 140

Proposal for a regulation

Annex I – Part VII – point 70 – paragraph 3 – point 6

Regulation (EC) No 177/2008

Article 15 a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 3(6), Article 5(2), Article 6(3) and Article 8(3) shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 3(6), Article 5(2), Article 6(3) and Article 8(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Alignment of the scrutiny period and its extension.

Amendment 141

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 1

Regulation (EC) No 295/2008

Article 3 – paragraph 4 – subparagraph 1

Text proposed by the Commission

“The use of the flexible module referred to in point (j) of paragraph 2 shall be planned in close cooperation with Member States. The Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning its** scope, list of characteristics, reference period, activities to be covered and quality requirements. The delegated act shall be adopted at least 12 months before the beginning of the reference period. The Commission shall also specify the need for the information and the impact of the data collection in respect of the burden on businesses and the

Amendment

“The use of the flexible module referred to in point (j) of paragraph 2 shall be planned in close cooperation with Member States. The Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation by establishing the scope of the flexible module, its** list of characteristics, reference period, activities to be covered and quality requirements. The delegated act shall be adopted at least 12 months before the beginning of the reference period. The Commission shall also specify the need for the information and the impact of the data

costs to the Member States.”

collection in respect of the burden on businesses and the costs to the Member States.”

Or. en

Justification

Clarification of empowerment (to supplement) and its scope.

Amendment 142

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 2

Regulation (EC) No 295/2008

Article 4 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning** the measures necessary on the basis of the evaluation of the pilot studies.”

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation by defining** the measures necessary on the basis of the evaluation of the pilot studies.”

Or. en

Justification

Clarification of empowerment (to supplement).

Amendment 143

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 3

Regulation (EC) No 295/2008

Article 7 – paragraph 2

Text proposed by the Commission

“2. ***In order that*** Union aggregates ***may be compiled***, Member States shall produce component national results according to the levels of NACE Rev. 2 laid down in the Annexes to this Regulation or in delegated acts. The

Amendment

“2. ***For the purposes of compiling*** Union aggregates, Member States shall produce component national results according to the levels of NACE Rev. 2 laid down in the Annexes to this Regulation or in delegated acts. The

Commission is empowered to adopt such delegated acts in accordance with Article 11b.”

Commission is empowered to adopt such delegated acts in accordance with Article 11b ***supplementing this Regulation by determining the relevant levels of NACE Rev. 2.***”

Or. en

Justification

The empowerment needs to be more precise and its scope must be clearly defined as required by Article 290 of the Treaty.

Amendment 144

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 4 – point a

Regulation (EC) No 295/2008

Article 8 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The results shall be transmitted in an appropriate technical format, within a period of time starting from the end of the reference period. The Commission is empowered to adopt delegated acts in accordance with Article 11b ***concerning*** the reference period for the modules provided for in Article 3(2)(a) to (h) and (j) ***and this*** period shall be no longer than 18 months. For the module provided for in Article 3(2)(i), the period of time shall be no longer than 30 months or 18 months as laid down in Annex IX, Section 9. In addition, a small number of estimated preliminary results shall be transmitted within a period of time starting from the end of the reference period ***which shall be laid down*** in accordance with ***that procedure*** for the modules provided for in Article 3(2)(a) to (g) ***and*** shall be no longer than 10 months.

Amendment

The results shall be transmitted in an appropriate technical format, within a period of time starting from the end of the reference period. The Commission is empowered to adopt delegated acts in accordance with Article 11b ***to supplement this Regulation by specifying*** the reference period for the modules provided for in Article 3(2)(a) to (h) and (j), ***which*** period shall be no longer than 18 months. For the module provided for in Article 3(2)(i), the period of time shall be no longer than 30 months or 18 months as laid down in Annex IX, Section 9. In addition, a small number of estimated preliminary results shall be transmitted within a period of time starting from the end of the reference period. ***The Commission is empowered to adopt delegated acts*** in accordance with ***Article 11b to supplement this Regulation by specifying that period*** for the modules provided for in Article 3(2)(a) to (g), ***which period*** shall be no longer than 10 months.

Justification

Clarification of empowerment (to supplement). Since the wording "...that procedure..." referred to the Regulatory Procedure with Scrutiny, this needs to be adapted in order to refer to the procedure for the adoption of delegated acts.

Amendment 145**Proposal for a regulation****Annex I – Part VII – point 71 – paragraph 3 – point 4 – point b**

Regulation (EC) No 295/2008

Article 8 – paragraph 3 – subparagraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning the review of** the rules for the CETO flag and grouping the Member States, by 29 April 2013 and every five years thereafter.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation by reviewing** the rules for the CETO flag and grouping the Member States, by 29 April 2013 and every five years thereafter.”

Or. en

Justification

Clarification of empowerment (to supplement).

Amendment 146**Proposal for a regulation****Annex I – Part VII – point 71 – paragraph 3 – point 6**

Regulation (EC) No 295/2008

Article 11 b – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3(4), Article 4(4), Article 7(2), Article 8(2) and (3), Article 11a, Annex I, Sections 5, 6, 8(1) and (2), Section 6, of Annexes II, III and IV, Annex VI, Section 7, Annex VIII, Sections 3, 4(2) and (3), Annex IX Sections 8(2) and

Amendment

2. The power to adopt delegated acts referred to in Article 3(4), Article 4(4), Article 7(2), Article 8(2) and (3), Article 11a, Annex I, Sections 5, 6, 8(1) and (2), Section 6, of Annexes II, III and IV, Annex VI, Section 7, Annex VIII, Sections 3, 4(2) and (3), Annex IX Sections 8(2) and

(3) and 10(2), shall be conferred on the Commission for *an indeterminate* period of *time* [from the entry into force of this *Omnibus*].

(3) and 10(2), shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 147

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 6

Regulation (EC) No 295/2008

Article 11 b – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 3(4), Article 4(4), Article 7(2), Article 8(2) and (3), Article 11a, Annex I, Sections 5, 6, 8(1) and (2), Section 6, of Annexes II, III and IV, Annex VI, Section 7, Annex VIII, Sections 3, 4(2) and (3), Annex IX Sections 8(2) and (3) and 10(2), shall enter into force only if no objection has been expressed either by the European Parliament or *by* the Council within a period of *two* months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That

Amendment

6. A delegated act adopted pursuant to Article 3(4), Article 4(4), Article 7(2), Article 8(2) and (3), Article 11a, Annex I, Sections 5, 6, 8(1) and (2), Section 6, of Annexes II, III and IV, Annex VI, Section 7, Annex VIII, Sections 3, 4(2) and (3), Annex IX Sections 8(2) and (3) and 10(2), shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of *three* months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That

period shall be extended by **two** months at the initiative of the European Parliament or of the Council.”

period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Alignment of the scrutiny period and its extension.

Amendment 148

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 8 – point a

Regulation (EC) No 295/2008

Annex I – section 5 – paragraph 1

Text proposed by the Commission

The first reference year for which statistics are compiled is the calendar year 2008. Data will be compiled according to the breakdown in Section 9. However, the Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning** the first reference year for which statistics on the activity classes covered by the NACE Rev. 2 groups 64.2, 64.3 and 64.9 and division 66 are to be compiled.

Amendment

The first reference year for which statistics are compiled is the calendar year 2008. Data will be compiled according to the breakdown in Section 9. However, the Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation by establishing** the first reference year for which statistics on the activity classes covered by the NACE Rev. 2 groups 64.2, 64.3 and 64.9 and division 66 are to be compiled.

Or. en

Justification

Clarification of empowerment (to supplement).

Amendment 149

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 8 – point a

Regulation (EC) No 295/2008

Annex I – section 6 – paragraph 1

Text proposed by the Commission

For each of the key characteristics Member States will indicate the degree of precision by reference to a confidence level of 95 %, which the Commission will include in the report provided for in Article 13, taking account of the application in each Member States of that Article. The Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning** the key characteristics.

Amendment

For each of the key characteristics Member States will indicate the degree of precision by reference to a confidence level of 95 %, which the Commission will include in the report provided for in Article 13, taking account of the application in each Member States of that Article. The Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation by establishing** the key characteristics.

Or. en

Justification

Clarification of empowerment (to supplement).

Amendment 150

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 8 – point b – point i

Regulation (EC) No 295/2008

Annex I – section 8 – paragraph 1

Text proposed by the Commission

“1. The results are to be transmitted within 18 months of the end of the calendar year of the reference period, except for the NACE Rev. 2 activity classes 64.11 and 64.19. For the NACE Rev. 2 activity classes 64.11 and 64.19 the transmission delay is 10 months. The Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning** the transmission delay of the results on the activity classes covered by the NACE Rev. 2 groups 64.2, 64.3 and 64.9 and division 66.”

Amendment

“1. The results are to be transmitted within 18 months of the end of the calendar year of the reference period, except for the NACE Rev. 2 activity classes 64.11 and 64.19. For the NACE Rev. 2 activity classes 64.11 and 64.19 the transmission delay is 10 months. The Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation by establishing** the transmission delay of the results on the activity classes covered by the NACE Rev. 2 groups 64.2, 64.3 and 64.9 and division 66.”

Or. en

Justification

Clarification of empowerment (to supplement).

Amendment 151

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point b – point ii

Regulation (EC) No 295/2008

Annex I – section 8 – paragraph 2 – subparagraph 2

Text proposed by the Commission

“These preliminary results or estimates are to be broken down to NACE Rev. 2, 3-digit level (group). The Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning the division 66 of NACE Rev. 2**, the transmission of preliminary results or estimates.”

Amendment

“These preliminary results or estimates are to be broken down to NACE Rev. 2, 3-digit level (group). The Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation by establishing** the transmission of preliminary results or estimates **for division 66 of NACE Rev. 2.**”

Or. en

Justification

Clarification of empowerment (to supplement) and scope.

Amendment 152

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 9

Regulation (EC) No 295/2008

Annex II – section 6

Text proposed by the Commission

For each key characteristic Member States will indicate the degree of precision by reference to a confidence level of 95 % which the Commission will include in the report provided for in Article 13, taking account of the application in each Member State of that Article. The Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning**

Amendment

For each key characteristic Member States will indicate the degree of precision by reference to a confidence level of 95 % which the Commission will include in the report provided for in Article 13, taking account of the application in each Member State of that Article. The Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation by establishing such** key

the key characteristics.

characteristics.

Or. en

Justification

Clarification of empowerment (to supplement).

Amendment 153

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 10

Regulation (EC) No 295/2008

Annex III – section 6– paragraph 1

Text proposed by the Commission

For each key characteristic Member States will indicate the degree of precision by reference to a confidence level of 95 % which the Commission will include in the report provided for in Article 13, taking account of the application in each Member State of that Article. The Commission is empowered to adopt delegated acts in accordance with Article 11b *concerning the* key characteristics.

Amendment

For each key characteristic Member States will indicate the degree of precision by reference to a confidence level of 95 % which the Commission will include in the report provided for in Article 13, taking account of the application in each Member State of that Article. The Commission is empowered to adopt delegated acts in accordance with Article 11b *to supplement this Regulation by establishing such* key characteristics.

Or. en

Justification

Clarification of empowerment (to supplement).

Amendment 154

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 11

Regulation (EC) No 295/2008

Annex IV – section 6 – paragraph 1

Text proposed by the Commission

For each key characteristic Member States will indicate the degree of precision by

Amendment

For each key characteristic Member States will indicate the degree of precision by

reference to a confidence level of 95 % which the Commission will include in the report provided for in Article 13, taking account of the application in each Member State of that Article. The Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning** the key characteristics.

reference to a confidence level of 95 % which the Commission will include in the report provided for in Article 13, taking account of the application in each Member State of that Article. The Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation by establishing such** key characteristics.

Or. en

Justification

Clarification of empowerment (to supplement).

Amendment 155

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 12

Regulation (EC) No 295/2008

Annex VI – section 7 – paragraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning** the transmission delay of the results that will not be longer than 10 months starting from the end of the reference year.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation by establishing** the transmission delay of the results that will not be longer than 10 months starting from the end of the reference year.

Or. en

Justification

Clarification of empowerment (to supplement).

Amendment 156

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 13 – point a

Regulation (EC) No 295/2008

Annex VIII – section 3 – paragraph 1 – sentence 5

Text proposed by the Commission

Amendment

“On the basis of this study, the Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning the changing of** the lower limit.”

“On the basis of this study, the Commission is empowered to adopt delegated acts in accordance with Article 11b **to amend this Regulation by changing** the lower limit **of the reference population.**”

Or. en

Justification

Clarification of empowerment (to supplement) and scope.

Amendment 157

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 13 – point b

Regulation (EC) No 295/2008

Annex VIII – section 4 – paragraphs 2 and 3 – table

Text proposed by the Commission

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning the determination of** product breakdown.”

“The Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation by establishing the** product breakdown.”

(This amendment concerns the table ‘Breakdown of turnover by product type’, the sentence in the column ‘Comment’.)

Or. en

Justification

Clarification of empowerment (to supplement).

Amendment 158

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 14 – point a

Regulation (EC) No 295/2008

Annex IX – section 8 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission is empowered to adopt delegated acts in accordance with Article 11b ***concerning some results that*** shall also be broken down into size classes to the level of detail listed in Section 10, except for NACE Rev. 2 Sections L, M and N, where the breakdown is required only to the group level.

2. The Commission is empowered to adopt delegated acts in accordance with Article 11b ***to supplement this Regulation by establishing that some results*** shall also be broken down into size classes to the level of detail listed in Section 10, except for NACE Rev. 2 Sections L, M and N, where the breakdown is required only to the group level.

Or. en

Justification

Clarification of empowerment (to supplement).

Amendment 159

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 14 – point a

Regulation (EC) No 295/2008

Annex IX – section 8 – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission is empowered to adopt delegated acts in accordance with Article 11b ***concerning some results that*** shall also be broken down according to legal form to the level of the detail listed in Section 10, except for NACE Rev. 2 Sections L, M and N, where the breakdown is required only to the group level.;

3. The Commission is empowered to adopt delegated acts in accordance with Article 11b ***to supplement this Regulation by establishing that some results*** shall also be broken down according to legal form to the level of the detail listed in Section 10, except for NACE Rev. 2 Sections L, M and N, where the breakdown is required only to the group level.;

Or. en

Justification

Clarification of empowerment (to supplement).

Amendment 160

Proposal for a regulation

Annex I – Part VII – point 71 – paragraph 3 – point 14 – point b

Regulation (EC) No 295/2008

Annex IX – section 10 – paragraph 2 – subsection "Special aggregates"

Text proposed by the Commission

To enable Union statistics on business demography to be compiled for the Information and Communication Technology sector, the Commission is empowered to adopt delegated acts in accordance with Article 11b **concerning** a number of special aggregates of the NACE Rev. 2 to be transmitted..

Amendment

To enable Union statistics on business demography to be compiled for the Information and Communication Technology sector, the Commission is empowered to adopt delegated acts in accordance with Article 11b **to supplement this Regulation by establishing** a number of special aggregates of the NACE Rev. 2 to be transmitted..

Or. en

Justification

Clarification of empowerment (to supplement).

Amendment 161

Proposal for a regulation

Annex I – Part VII – point 72 – paragraph 2 – point 1

Regulation (EC) No 451/2008

Article 6 – paragraph 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 6a amending the Annex:

(a) to take account of technological or economic developments;

(b) to align it with other economic and social classifications.”

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 6a amending the Annex to take account of technological or economic developments and to align it with other economic and social classifications”.

Or. en

Justification

Alignment of wording as (a) and (b) is not necessary.

Amendment 162

Proposal for a regulation

Annex I – Part VII – point 72 – paragraph 2 – point 2

Regulation (EC) No 451/2008

Article 6 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 6(2) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 163

Proposal for a regulation

Annex I – Part VII – point 72 – paragraph 2 – point 2

Regulation (EC) No 451/2008

Article 6 a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 6(2) shall enter into force only if no

Amendment

6. A delegated act adopted pursuant to Article 6(2) shall enter into force only if no

objection has been expressed either by the European Parliament or **by** the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Alignment of the scrutiny period and its extension.

Amendment 164

Proposal for a regulation

Annex I – Part VII – point 73 – paragraph 3 – point 2

Regulation (EC) No 452/2008

Article 6 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6(1) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 6(1) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.**

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 165

Proposal for a regulation

Annex I – Part VII – point 74 – paragraph 3 – point 3

Regulation (EC) No 453/2008

Article 5 – paragraph 1

Text proposed by the Commission

1. The Commission is empowered to adopt delegated acts in accordance with Article 8a determining the date of the first reference quarter as well as the transmission deadlines. Any revision of quarterly data for previous quarters shall be transmitted at the same time.

Member States shall transmit the data and metadata to the Commission (Eurostat) according to a format determined by the Commission by means of implementing **act**. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 9(3).

Amendment

1. The Commission is empowered to adopt delegated acts in accordance with Article 8a **to supplement this Regulation by** determining the date of the first reference quarter as well as the transmission deadlines **applicable to Member States**. Any revision of quarterly data for previous quarters shall be transmitted at the same time.

Member States shall transmit the data and metadata to the Commission (Eurostat), **and specify their source**, according to a **technical** format determined by the Commission by means of implementing **acts**. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 9(3).

Or. en

Justification

This provision should exclusively concern the technical format and the deadlines for transmission of data from the Member States. The source of data should be specified.

Amendment 166

Proposal for a regulation

Annex I – Part VII – point 74 – paragraph 3 – point 5

Regulation (EC) No 453/2008

Article 8 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 2, Article 3(1), Article 5(1) and Article 7(1) and (3) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 2, Article 3(1), Article 5(1) and Article 7(1) and (3) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 167

Proposal for a regulation

Annex I – Part VII – point 75 – paragraph 2 – point 3

Regulation (EC) No 763/2008

Article 7 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 5(1) and (3) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 5(1) and (3) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods***

of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 168

Proposal for a regulation

Annex I – Part VII – point 76 – paragraph 3 – point 7

Regulation (EC) No 1099/2008

Article 10 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3(3), Article 4(2) and (3), Article 5(3), Article 8, and Article 9(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 3(3), Article 4(2) and (3), Article 5(3), Article 8, and Article 9(2) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 169

Proposal for a regulation

Annex I – Part VII – point 77 – paragraph 2 – point 4

Regulation (EC) No 1338/2008

Article 9 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6(2), Article 7(2) and Article 9(1) and in points (c), (d) and (e) of Annexes I, II, III, IV and V shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 6(2), Article 7(2) and Article 9(1) and in points (c), (d) and (e) of Annexes I, II, III, IV and V shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 170

Proposal for a regulation

Annex I – Part VII – point 78 – paragraph 2 – point 2

Regulation (EC) No 1185/2009

Article 5 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 5(1a), (2) and (3)

Amendment

2. The power to adopt delegated acts referred to in 5(1a), (2) and (3) shall be

shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 171

Proposal for a regulation

Annex I – Part VIII – point 79 – paragraph 2 – point 1 – point a

Regulation (EC) No 1606/2002

Article 3 – paragraph 1 – subparagraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 5a ***concerning*** the applicability within the Union of international accounting standards.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 5a ***to supplement this Regulation by establishing*** the applicability within the Union of international accounting standards (***'adopted international accounting standards'***).

Or. en

Justification

Clarification of empowerment (to supplement) and the links to the provisions in the other paragraphs of the basic act.

Amendment 172

Proposal for a regulation

Annex I – Part VIII – point 79 – paragraph 2 – point 1 – point a

Regulation (EC) No 1606/2002

Article 3 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

Where, in the case of possible imminent risks to the stability of financial markets, imperative grounds of urgency so require, the procedure provided for in Article 5b shall apply to delegated acts adopted pursuant to this paragraph.;

deleted

Or. en

Justification

The use of the urgency procedure does not seem justified. If necessary, the European Parliament and the Council can raise an early non-objection (see proposed amendment to delete Article 5b of Regulation (EC) No 1606/2002).

Amendment 173

Proposal for a regulation

Annex I – Part VIII – point 79 – paragraph 2 – point 1 a (new)

Regulation (EC) No 1606/2002

Article 4 – paragraph 1

Present text

Amendment

“For each financial year starting on or after 1 January 2005, companies governed by the law of a Member State shall prepare their consolidated accounts in conformity with the international accounting standards adopted in accordance with ***the procedure laid down in Article 6(2)*** if, at their balance sheet date, their securities are admitted to trading on a regulated market ***of any Member State within the meaning of Article 1(13) of Council Directive 93/22/EEC of 10 May 1993 on investment***

(1 a) in Article 4, paragraph 1 is replaced by the following:

“For each financial year starting on or after 1 January 2005, companies governed by the law of a Member State shall prepare their consolidated accounts in conformity with the international accounting standards adopted in accordance with ***Article 3(1)***, if, at their balance sheet date, their securities are admitted to trading on a regulated market ***as defined in point (21) of Article 4(1) of Directive 2014/65/EU.***”

services in the securities field (1).”

Or. en

Justification

There is no need to refer to 'of a Member State' as the definition of a regulated market in Article 44 MiFID includes only those authorised in the EU.

Amendment 174

Proposal for a regulation

Annex I – Part VIII – point 79 – paragraph 2 – point 1 b (new)

Regulation (EC) No 1606/2002

Article 5

Present text

Amendment

"Article 5

Options in respect of annual accounts and of non publicly-traded companies

Member States may permit or require:

- (a) the companies referred to in Article 4 to prepare their annual accounts,
- (b) companies other than those referred to in Article 4 to prepare their consolidated accounts and/or their annual accounts,

in conformity with the international accounting standards adopted in accordance with *the procedure laid down in Article 6(2).*”

(1 b) Article 5 is replaced by the following:

"Article 5

Options in respect of annual accounts and of non publicly-traded companies

Member States may permit or require:

- (a) the companies referred to in Article 4 to prepare their annual accounts,
- (b) companies other than those referred to in Article 4 to prepare their consolidated accounts and/or their annual accounts,

in conformity with the international accounting standards adopted in accordance with ***Article 3(1).***”

Or. en

Justification

Alignment of the applicable procedure (Article 6 of Regulation (EC) No 1606/2002 is deleted; empowerment for adoption of delegated acts is now in Article 3 thereof)..

Amendment 175

Proposal for a regulation

Annex I – Part VIII – point 79 – paragraph 2 – point 2

Regulation (EC) No 1606/2002

Article 5 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3(1) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** [from the entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 3(1) shall be conferred on the Commission for ***a*** period of ***five years from ... [date of entry into force of this amending Regulation]***. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 176

Proposal for a regulation

Annex I – Part VIII – point 79 – paragraph 2 – point 2

Regulation (EC) No 1606/2002

Article 5 a – paragraph 6

Text proposed by the Commission

A delegated act adopted pursuant to Article 3(1) shall enter into force only if no objection has been expressed either by the European Parliament or ***by*** the Council within a period of ***two*** months of notification of that act to the European Parliament and the Council or if, before the

Amendment

6. A delegated act adopted pursuant to Article 3(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of ***three*** months of notification of that act to the European Parliament and the Council or if, before the expiry of that

expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Alignment of the scrutiny period and its extension.

Amendment 177

Proposal for a regulation

Annex I – Part VIII – point 79 – paragraph 2 – point 2

Regulation (EC) No 1606/2002

Article 5 b

Text proposed by the Commission

Amendment

Article 5b

deleted

Urgency procedure

1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph

2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.

2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 5a(6) In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.

Or. en

Justification

The use of the urgency procedure does not seem justified. If necessary, the European Parliament and the Council can raise an early non-objection.

Amendment 178

Proposal for a regulation

Annex I – Part VIII – point 79 – paragraph 2 – point 3

Regulation (EC) No 1606/2002

Article 6

Text proposed by the Commission

Amendment

(3) *Articles 6 and 7 are* deleted.

(3) *Article 6 is* deleted.

Or. en

Justification

Only Article 6 is deleted because there is no longer comitology procedure.

Amendment 179

Proposal for a regulation

Annex I – Part VIII – point 79 – paragraph 2 – point 3 a (new)

Regulation (EC) No 1606/2002

Article 7

Present text

Amendment

“Article 7

Reporting and coordination

1. The Commission shall ***liaise on a regular basis with the Committee about*** the status of active IASB projects and any related documents issued by the IASB in order to coordinate positions and to facilitate discussions concerning the adoption of standards that might result from these projects and documents.

2. The Commission shall duly report

(3 a) Article 7 is replaced by the following:

“Article 7

Reporting and coordination

1. The Commission shall ***inform*** on a regular basis ***the European Parliament and the Council*** about the status of active IASB projects and any related documents issued by the IASB in order to coordinate positions and to facilitate discussions concerning the adoption of standards that might result from these projects and documents.

2. The Commission shall duly report

to the **Committee** in a timely manner if it intends not to propose the adoption of a standard.”

to the **European Parliament and to the Council** in a timely manner if it intends not to propose the adoption of a standard.”

Or. en

Justification

It is appropriate to establish certain reporting obligations to the Parliament and the Council as regards the preparation of draft international accounting standards. This would be in line with requests by Parliament (Stolojan report) and the text agreed in Article 9(6a) of the EFRAG Financing report.

Amendment 180

Proposal for a regulation

Annex I – Part VIII – point 80 – paragraph 1

Text proposed by the Commission

In order to adapt Directive 2009/110/EC to take account of inflation or technological and market developments, and to ensure a convergent application of certain exemptions set out in that Directive, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend that Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment

Directive 2009/110/EC includes in Article 14 an empowerment for the Commission to adopt measures which are necessary to update the provisions of the Directive "in order to take account of inflation or technological and market developments" in accordance with the regulatory procedure with scrutiny. Such empowerment, if adapted to an empowerment for the adoption of delegated acts without further changes, would not satisfy the requirements of Article 290 TFEU regarding the necessary specification of objectives, content and scope of the delegation of power. Taking into account that the Commission has not used the empowerment to date, it should be deleted.

Justification

This amendment explains why the empowerment in this Directive is deleted entirely.

Amendment 181

Proposal for a regulation

Annex I – Part VIII – point 80 – paragraph 2 – point 1

Directive 2009/110/EC

Article 14

Text proposed by the Commission

Amendment

(1) Article 14 is ***replaced by the following:***

(1) Article 14 is ***deleted.***

Article 14

Delegated acts

The Commission is empowered to adopt delegated acts in accordance with Article 14a:

a) amending this Directive in order to take account of inflation or technological and market developments;

b) amending Article 1(4) and (5) to ensure the convergent application of the exemptions referred to in those provisions.;

Justification

The empowerment is too broad to be appropriate for a delegated act under Article 290 TFEU and it has not been used so far. Therefore, it should be deleted.

Amendment 182

Proposal for a regulation

Annex I – Part VIII – point 80 – paragraph 2 – point 2

Directive 2009/110/EC

Article 14 a

(2) the following Article 14a is inserted: **deleted**

‘Article 14a

Exercise of the delegation

- 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.***
- 2. The power to adopt delegated acts referred to in Article 14 shall be conferred on the Commission for an indeterminate period of time [from the entry into force of this Omnibus].***
- 3. The delegation of power referred to in Article 14 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.***
- 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016*.***
- 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.***
- 6. A delegated act adopted pursuant to Article 14 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European***

Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

**** OJ L 123, 12.5.2016, p. 1.; ’***

Or. en

Justification

Following the above amendments, there are no longer provisions empowering the Commission to adopt delegated acts; therefore, this procedural provision should be deleted.

Amendment 183

Proposal for a regulation

Annex I – Part IX – point 81 – paragraph 2 – point 4

Directive 75/324/EEC

Article 10 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 5 and Article 10(3) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 5 and Article 10(3) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see

resolution of 25 February 2014, paragraph 9).

Amendment 184

Proposal for a regulation

Annex I – Part IX – point 81 – paragraph 2 – point 4

Directive 75/324/EEC

Article 10 a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 5 and Article 10(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 5 and Article 10(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

Amendment 185

Proposal for a regulation

Annex I – Part IX – point 82 – paragraph 2 – point 2

Directive 76/211/EEC

Article 6 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6 shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 6 shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of**

power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 186

Proposal for a regulation

Annex I – Part IX – point 82 – paragraph 2 – point 2

Directive 76/211/EEC

Article 6 a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 6 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 6 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Alignment of the scrutiny period and its extension.

Amendment 187

Proposal for a regulation

Annex I – Part IX – point 83 – paragraph 2 – point 2

Directive 80/181/EEC

Article 6 c – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6a shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 6a shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 188

Proposal for a regulation

Annex I – Part IX – point 83 – paragraph 2 – point 2

Directive 80/181/EEC

Article 6 c – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 6a shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of ***two*** months of notification of that act to the European Parliament and the Council or if, before the expiry of that

Amendment

6. A delegated act adopted pursuant to Article 6a shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of ***three*** months of notification of that act to the European Parliament and the Council or if, before the expiry of that

period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Alignment of the scrutiny period and its extension.

Amendment 189

Proposal for a regulation

Annex I – Part IX – point 84 – paragraph 2 – point 3

Directive 97/67/EC

Article 20 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 16 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 16 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 190

Proposal for a regulation

Annex I – Part IX – point 85 – paragraph 2 – point 1

Directive 2000/14/EC

Article 17 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 18a shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 18a shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 191

Proposal for a regulation

Annex I – Part IX – point 86 – paragraph 2 – point 3

Regulation (EC) No 2003/2003

Article 31 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 29(4) and Article 31(1) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 29(4) and Article 31(1) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the***

delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

Justification

The standard 5-year renewable delegation of power (if neither the Council nor the European Parliament withdraw it) should apply to all files in this policy area, as was the case in the previous legislation. This is also consistent with Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 192

Proposal for a regulation

Annex I – Part IX – point 87 – paragraph 2 – point 2

Directive 2004/9/EC

Article 6 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6(3) and Article 8(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 6(3) and Article 8(2) shall be conferred on the Commission for a period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 193

Proposal for a regulation

Annex I – Part IX – point 88 – paragraph 2 – point 2

Directive 2004/10/EC

Article 3 b – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3a and Article 5(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 3a and Article 5(2) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 194

Proposal for a regulation

Annex I – Part IX – point 89 – paragraph 3 – point 3

Directive 2006/42/EC

Article 21 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts

Amendment

2. The power to adopt delegated acts

referred to in Article 8(1) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

referred to in Article 8(1) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 195

Proposal for a regulation

Annex I – Part IX – point 89 – paragraph 3 – point 3

Directive 2006/42/EC

Article 21 a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 8(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of ***two*** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by ***two*** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 8(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of ***three*** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by ***three*** months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Alignment of the scrutiny period and its extension.

Amendment 196

Proposal for a regulation

Annex I – Part IX – point 90 – paragraph 2 – point 3

Directive 2006/123/EC

Article 39 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 23(4) and Article 36 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 23(4) and Article 36 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 197

Proposal for a regulation

Annex I – Part IX – point 90 – paragraph 2 – point 3

Directive 2006/123/EC

Article 39 a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 23(4) and Article 36 shall enter into

Amendment

6. A delegated act adopted pursuant to Article 23(4) and Article 36 shall enter into

force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Alignment of the scrutiny period and its extension.

Amendment 198

Proposal for a regulation

Annex I – Part IX – point 91 – paragraph 1 – second indent

Text proposed by the Commission

- to amend the Annexes to that Regulation ***in certain cases***;

Amendment

- to amend the Annexes to that Regulation;

Or. en

Justification

This amendment clarifies that the Annexes are always amended by delegated acts (in line with the new wording of Article 131 of Regulation (EC) No 1907/2006).

Amendment 199

Proposal for a regulation

Annex I – Part IX – point 91 – paragraph 3 – point 1

Regulation (EC) No 1907/2006

Article 13 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 131a laying down test methods.

The Commission is empowered to adopt delegated acts in accordance with Article 131a ***to supplement this Regulation by*** laying down test methods.

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 200

Proposal for a regulation

Annex I – Part IX – point 91 – paragraph 3 – point 2

Regulation (EC) No 1907/2006

Article 41 – paragraph 7

Text proposed by the Commission

Amendment

“7. The Commission is empowered to adopt delegated acts in accordance with Article 131a, after consulting with the Agency, to ***vary*** the percentage of dossiers selected and to amend or ***include*** further criteria in paragraph 5.”

“7. The Commission is empowered to adopt delegated acts in accordance with Article 131a, after consulting with the Agency, to ***amend this Regulation by varying*** the percentage of dossiers selected and ***by updating or including*** further criteria in paragraph 5.”

Or. en

Justification

Clarification of empowerment (i.e. to amend).

Amendment 201

Proposal for a regulation

Annex I – Part IX – point 91 – paragraph 3 – point 4 a (new)

Regulation (EC) No 1907/2006

Article 73 – paragraph 2

2. A final decision *shall be taken* in accordance with *the procedure referred to in Article 133(4). The Commission shall send the draft amendment to the Member States at least 45 days before voting.*

(4a) in Article 73, paragraph 2 is replaced by the following:

“2. The Commission is empowered to adopt a delegated act in accordance with Article 131a to supplement this Regulation with the final decision on amending Annex XVII.”

Or. en

Justification

Amending paragraph 2 in order to align the measure to delegated acts (there can be no reference to Article 133(4) (RPS) as it will be deleted from the act).

Amendment 202

Proposal for a regulation

Annex I – Part IX – point 91 – paragraph 3 – point 6

Regulation (EC) No 1907/2006

Article 131a

Text proposed by the Commission

Amendment

“Article 131a

“Article 131a

Exercise of the Delegation

Exercise of the Delegation

1. The power to adopt delegated acts conferred on the Commission is subject to the conditions laid down in this Article.

1. The power to adopt delegated acts *is* conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 13(2) and (3), Article 41(7), Article 58(1) and (8), Article 68(1) and (2), Article 131 and Article 138(9) shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

2. The power to adopt delegated acts referred to in Article 13(2) and (3), Article 41(7), Article 58(1) and (8), Article 68(1) and (2), *Article 73(2)*, Article 131 and Article 138(9) shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not*

3. The delegation of power referred to in Article 13(2) and (3), Article 41(7), Article 58(1) and (8), Article 68(1) and (2), Article 131 and Article 138(9) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016**.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 13(2) and (3), Article 41(7), Article 58(1) and (8), Article 68(1) and (2), Article 131 and Article 138(9) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p.1.”

later than three months before the end of each period.

3. The delegation of power referred to in Article 13(2) and (3), Article 41(7), Article 58(1) and (8), Article 68(1) and (2), **Article 73(2)**, Article 131 and Article 138(9) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making *.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 13(2) and (3), Article 41(7), Article 58(1) and (8), Article 68(1) and (2), **Article 73(2)**, Article 131 and Article 138(9) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p.1.”

Or. en

Justification

Alignment of the duration of the empowerment and updating the references in line with previous amendments.

Amendment 203

Proposal for a regulation

Annex I – Part IX – point 92 – paragraph 3 – point 3

Directive 2009/34/EC

Article 16 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 16 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 16 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 204

Proposal for a regulation

Annex I – Part IX – point 92 – paragraph 3 – point 3

Directive 2009/34/EC

Article 16 a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to

Amendment

6. A delegated act adopted pursuant to

Article 16 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Article 16 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Alignment of the scrutiny period and its extension.

Amendment 205

Proposal for a regulation

Annex I – Part IX – point 93 – paragraph 2 – point 3

Directive 2009/43/EC

Article 13 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(3) and Article 13 shall be conferred on the Commission for **an indeterminate** period of **time** from **the** [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 4(3) and Article 13 shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.**

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 206

Proposal for a regulation

Annex I – Part IX – point 93 – paragraph 2 – point 3

Directive 2009/43/EC

Article 13 a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 4(3) and Article 13 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 4(3) and Article 13 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Alignment of the scrutiny period and its extension.

Amendment 207

Proposal for a regulation

Annex I – Part IX – point 94 – paragraph 3 – point 2

Directive 2009/48/EC

Article 46 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 46 shall be conferred on the Commission for **an indeterminate**

Amendment

2. The power to adopt delegated acts referred to in Article 46 shall be conferred on the Commission for **a** period of **five**

period of **time** from [date of entry into force of this **Omnibus**].

years from ... [date of entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.**

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 208

Proposal for a regulation

Annex I – Part IX – point 94 – paragraph 3 – point 2

Directive 2009/48/EC

Article 46 a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 46 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 46 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Alignment of the scrutiny period and its extension.

Amendment 209

Proposal for a regulation

Annex I – Part IX – point 95 – paragraph 2 – point 2

Regulation (EC) No 79/2009

Article 12 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 12 shall be conferred on the Commission for *an indeterminate* period of *time* from *the* date of entry into force of this Regulation.

Amendment

2. The power to adopt delegated acts referred to in Article 12 shall be conferred on the Commission for *a* period of *five years from ...* [date of entry into force of this *amending* Regulation]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 210

Proposal for a regulation

Annex I – Part IX – point 95 – paragraph 2 – point 2

Regulation (EC) No 79/2009

Article 12 a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 12 shall enter into force only if no

Amendment

6. A delegated act adopted pursuant to Article 12 shall enter into force only if no

objection has been expressed either by the European Parliament or the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Alignment of the scrutiny period and its extension.

Amendment 211

Proposal for a regulation

Annex I – Part IX – point 96 – paragraph 2 – point 3

Directive 2009/81/EC

Article 66 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 68(1) and Article 69(2) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 68(1) and Article 69(2) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.**

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 212

Proposal for a regulation

Annex I – Part IX – point 96 – paragraph 2 – point 3

Directive 2009/81/EC

Article 66 a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 68(1) and Article 69(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 68(1) and Article 69(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Alignment of the scrutiny period and its extension.

Amendment 213

Proposal for a regulation

Annex I – Part IX – point 97 – paragraph 2 – point 3

Directive 2009/125/EC

Article 18 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 15(1) and Article 16(2) shall be conferred on the

Amendment

2. The power to adopt delegated acts referred to in Article 15(1) and Article 16(2) shall be conferred on the

Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 214

Proposal for a regulation

Annex I – Part IX – point 98 – paragraph 2 – point 3

Regulation (EC) No 661/2009

Article 14 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 14 shall be conferred on the Commission for *an indeterminate* period of *time from the* date of entry into force of this Regulation.

Amendment

2. The power to adopt delegated acts referred to in Article 14 shall be conferred on the Commission for *a* period of *five years from ...* [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

(The numbering of the Commission proposal should be corrected. Point (2) is actually point (3))

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 215

Proposal for a regulation

Annex I – Part IX – point 98 – paragraph 2 – point 3

Regulation (EC) No 661/2009

Article 14 a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 14 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 14 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Alignment of the scrutiny period and its extension.

Amendment 216

Proposal for a regulation

Annex I – Part IX – point 99 – paragraph 1 – indent 8 a (new)

Text proposed by the Commission

Amendment

- to supplement this Regulation by authorising derogations from the prohibition on animal testing, in case a

serious concern arises as regards the safety of an existing cosmetics ingredient.

Or. en

Justification

In line with amendments to Articles aligning measures previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 217

Proposal for a regulation

Annex I – Part IX – point 99 – paragraph 3

Text proposed by the Commission

Amendment

In order to ensure uniform conditions for the implementation of the relevant provisions of Regulation (EC) No 1223/2009 concerning derogations in relation to animal testing, implementing powers should be conferred on the Commission to adopt decisions authorising derogations from the prohibition on animal testing. Those powers should be exercised in accordance with Regulation (EU) No 182/2011. **deleted**

Or. en

Justification

In line with amendments to Articles aligning measures previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 218

Proposal for a regulation

Annex I – Part IX – point 99 – paragraph 4 – point 6

Regulation (EC) No 1223/2009

Article 18 – paragraph 2 – subparagraph 9

Text proposed by the Commission

Amendment

“The measures referred to in the sixth

“The Commission is empowered to adopt

subparagraph *shall be adopted by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 32(2).*”

delegated acts in accordance with Article 31a to supplement this Regulation by providing authorisation for the derogation referred to in the sixth subparagraph.”

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 219

Proposal for a regulation

Annex I – Part IX – point 99 – paragraph 4 – point 7

Regulation (EC) No 1223/2009

Article 20 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 31a establishing a list of common criteria for claims which may be used in respect of cosmetic products, after consulting the SCCS or other relevant authorities and taking into account the provisions of Directive 2005/29/EC.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 31a *to supplement this Regulation by* establishing a list of common criteria for claims which may be used in respect of cosmetic products, after consulting the SCCS or other relevant authorities and taking into account the provisions of Directive 2005/29/EC.

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 220

Proposal for a regulation

Annex I – Part IX – point 99 – paragraph 4 – point 9

Regulation (EC) No 1223/2009

Article 31a

“Article 31a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 2(3), Article 13(8), Article 14(2), Article 15(1) and (2), Article 16 (8) and (9), Article 20(2) and Article 31(1), (2) and (3) shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].
3. The delegation of power referred to in Article 2(3), Article 13(8), Article 14(2), Article 15(1) and (2), Article 16(8) and (9), Article 20(2) and Article 31(1), (2) and (3), may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016**.

“Article 31a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 2(3), Article 13(8), Article 14(2), Article 15(1) and (2), Article 16 (8) and (9), **Article 18(2)**, Article 20(2) and Article 31(1), (2) and (3) shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*
3. The delegation of power referred to in Article 2(3), Article 13(8), Article 14(2), Article 15(1) and (2), Article 16(8) and (9), **Article 18(2)**, Article 20(2) and Article 31(1), (2) and (3), may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making ***.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 2(3), Article 13(8), Article 14(2), Article 15(1) and (2), Article 16 (8) and (9), Article 20(2) and Article 31(1), (2) and (3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p.1.”

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 2(3), Article 13(8), Article 14(2), Article 15(1) and (2), Article 16 (8) and (9), **Article 18(2)**, Article 20(2) and Article 31(1), (2) and (3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p.1.”

Or. en

Justification

Alignment of the duration of the empowerment and updating the references in line with previous amendments.

Amendment 221

Proposal for a regulation

Annex I – Part X – point 100 – paragraph 2 – point 2

Directive 92/85/EEC

Article 13 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 13(1) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 13(1) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not***

later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 222

Proposal for a regulation

Annex I – Part X – point 101 – paragraph 2 – point 2

Directive 2008/48/EC

Article 24 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 19(5) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [***the*** entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 19(5) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [***date of*** entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see

resolution of 25 February 2014, paragraph 9).

Amendment 223

Proposal for a regulation

Annex I – Part X – point 101 – paragraph 2 – point 2

Directive 2008/48/EC

Article 24 a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 19(5) shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article 19(5) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

Justification

Alignment of the scrutiny period and its extension.

Amendment 224

Proposal for a regulation

Annex I – Part XI – point 102 – paragraph 2 – point 2

Regulation (EEC) No 3922/91

Article 11 a – paragraph 2

Text proposed by the Commission

2. The **power to adopt delegated acts** referred to in Article 11(1) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The **delegation of power** referred to in Article 11(1) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the**

delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

Amendment 225

Proposal for a regulation

Annex I – Part XI – point 103 – paragraph 2 – point 2

Directive 95/50/EC

Article 9 aa – paragraph 2

Text proposed by the Commission

2. The **power to adopt delegated acts** referred to in Article 9a shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The ***delegation of power*** referred to in Article 9a shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 226

Proposal for a regulation

Annex I – Part XI – point 104 – paragraph 1

Text proposed by the Commission

In order to adapt Directive 97/70/EC to the evolution of international law, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend that Directive in order to apply subsequent amendments to the Torremolinos Protocol. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making **of 13 April 2016**. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment

In order to adapt Directive 97/70/EC to the evolution of international law, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend that Directive in order to apply subsequent amendments to the Torremolinos Protocol ***and to supplement it by adopting provisions for a harmonised interpretation of those provisions of the Annex to the Torremolinos Protocol which have been left to the discretion of the administrations of individual contracting parties.***

In order to ensure that Union standards are protected, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission amending this Directive in order to exclude from its scope any amendment to the Torremolinos Protocol if, on the basis of an evaluation by the Commission, there is a manifest risk that such international amendment would lower the standard of maritime safety, prevention of pollution from ships or of protection of shipboard living and working conditions, established by Union maritime legislation, or that such amendment would be incompatible with the latter.

It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the

Interinstitutional Agreement *of 13 April 2016* on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

Amendment 227

Proposal for a regulation

Annex I – Part XI – point 104 – paragraph 2

Text proposed by the Commission

Amendment

In order to ensure uniform conditions for the implementation of Directive 97/70/EC, implementing powers should be conferred on the Commission to adopt provisions for a harmonised interpretation of those provisions of the Annex to the Torremolinos Protocol which have been left to the discretion of the administrations of individual contracting parties, as far as necessary to ensure their consistent implementation in the Union. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

deleted

Or. en

Amendment 228

Proposal for a regulation

Annex I – Part XI – point 104 – paragraph 3 – point 1

Directive 97/70/EC

Article 8 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission **may** establish a harmonised interpretation of those provisions of the Annex to the Torremolinos Protocol which have been left to the discretion of the administrations of individual contracting parties, ***as far as necessary to ensure their consistent implementation in the Union, by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 9(2).***

2. The Commission ***is empowered to adopt delegated acts in accordance with Article 8a supplementing this Directive in order to*** establish a harmonised interpretation of those provisions of the Annex to the Torremolinos Protocol which have been left to the discretion of the administrations of individual contracting parties.

Or. en

Amendment 229

Proposal for a regulation

Annex I – Part XI – point 104 – paragraph 3 – point 1

Directive 97/70/EC

Article 8 – paragraph 3

Text proposed by the Commission

Amendment

3. The ***amendments*** to the international instrument referred to in Article 2(4) ***may be excluded from the scope of this Directive, pursuant to Article 5 of Regulation (EC) No 2099/2002 of the European Parliament and of the Council****.

3. The ***Commission is empowered to adopt delegated acts in accordance with Article 8a amending this Directive in order to exclude from its scope any amendment*** to the international instrument referred to in Article 2(4) ***if, on the basis of an evaluation by the Commission, there is a manifest risk that such international amendment would lower the standard of maritime safety, of prevention of pollution from ships or of protection of shipboard living and working conditions, established by Union maritime legislation, or would be incompatible with the latter.***

Or. en

Amendment 230

Proposal for a regulation

Annex I – Part XI – point 104 – paragraph 3 – point 2

Directive 97/70/EC

Article 8 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article **8(1)** shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article **8** shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five years period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.**

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 231

Proposal for a regulation

Annex I – Part XI – point 104 – paragraph 3 – point 2

Directive 97/70/EC

Article 8 a – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to in Article **8(1)** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of

Amendment

3. The delegation of power referred to in Article **8** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in

the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Or. en

Amendment 232

Proposal for a regulation

Annex I – Part XI – point 104 – paragraph 3 – point 2

Directive 97/70/EC

Article 8 a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article **8(1)** shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Article **8** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Or. en

Amendment 233

Proposal for a regulation

Annex I – Part XI – point 105 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

In order to ensure that Union standards are protected, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission amending this Directive in order to exclude from its scope any amendment to Marpol 73/78 if, on the basis of an

evaluation by the Commission, there is a manifest risk that such international amendment would lower the standard of maritime safety, prevention of pollution from ships or of protection of shipboard living and working conditions, established by Union maritime legislation, or would be incompatible with the latter.

Or. en

Amendment 234

Proposal for a regulation

Annex I – Part XI – point 105 – paragraph 3 – point 1

Directive 2000/59/EC

Article 13 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 15 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 15 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 235

Proposal for a regulation

Annex I – Part XI – point 105 – paragraph 3 – point 3

Directive 2000/59/EC

Article 15 – paragraph 3

Text proposed by the Commission

3. The **amendments** to the international instruments referred to in Article 2 **may be excluded from the scope of this Directive pursuant to Article 5 of Regulation (EC) No 2099/2002 of the European Parliament and of the Council***.

Amendment

3. The **Commission is empowered to adopt delegated acts in accordance with Article 13a amending this Directive in order to exclude from its scope any amendment to the international instrument referred to in Article 2 if, on the basis of an evaluation by the Commission, there is a manifest risk that such international amendment would lower the standard of maritime safety, of prevention of pollution from ships or of protection of shipboard living and working conditions, established by Union maritime legislation, or would be incompatible with the latter.**

Or. en

Amendment 236

Proposal for a regulation

Annex I – Part XI – point 106 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

In order to ensure that Union standards are protected, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission amending this Directive in order to exclude from its scope any amendment to the international instruments referred to in Article 3 of this Directive, if, on the basis of an evaluation by the Commission, there is a manifest risk that such international amendments would lower the standard of maritime safety, prevention of pollution from ships or of protection of shipboard living and working conditions, established by Union

maritime legislation, or would be incompatible with the latter.

Or. en

Amendment 237

Proposal for a regulation

Annex I – Part XI – point 106 – paragraph 3 – point 2

Directive 2001/96/EC

Article 15 – footnote

Text proposed by the Commission

Amendment

** OJ L 123, 12.5.2016, p. 1.;*

deleted

Or. en

Justification

Wrong reference

Amendment 238

Proposal for a regulation

Annex I – Part XI – point 106 – paragraph 3 – point 2

Directive 2001/96/EC

Article 15 – paragraph 3

Text proposed by the Commission

Amendment

The *amendments* to the international instruments referred to in Article 3 *may be excluded from the scope of this Directive, pursuant to Article 5 of Regulation (EC) No 2099/2002.*

The *Commission is empowered to adopt delegated acts in accordance with Article 15a amending this Directive in order to exclude from its scope any amendment to the international instrument referred to in Article 3 if, on the basis of an evaluation by the Commission, there is a manifest risk that such international amendment would lower the standard of maritime safety, of prevention of pollution from ships or of protection of shipboard living and working conditions, established by Union maritime legislation, or would be incompatible with the latter.*

Amendment 239**Proposal for a regulation****Annex I – Part XI – point 106 – paragraph 3 – point 3**

Directive 2001/96/EC

Article 15 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 15 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 15 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 240**Proposal for a regulation****Annex I – Part XI – point 107 – paragraph 3 – point 2**

Directive 2002/59/EC

Article 27 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 27 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into

Amendment

2. The power to adopt delegated acts referred to in Article 27 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of

force of this ***Omnibus***].

this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 241

Proposal for a regulation

Annex I – Part XI – point 108 – paragraph 2 – point 3

Regulation (EC) No 2099/2002

Article 7 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 7 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of ***the*** entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 7 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 242

Proposal for a regulation

Annex I – Part XI – point 109 – paragraph 2 – point 2

Directive 2003/25/EC

Article 10 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 243

Proposal for a regulation

Annex I – Part XI – point 110 – paragraph 2 – point 2

Directive 2003/59/EC

Article 11 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts

Amendment

2. The power to adopt delegated acts

referred to in Article 11 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

referred to in Article 11 shall be conferred on the Commission for a period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 244

Proposal for a regulation

Annex I – Part XI – point 111 – paragraph 3 – point 4

Regulation (EC) No 782/2003

Article 8 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6(1) and Article 8 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 6(1) and Article 8 shall be conferred on the Commission for a period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 245**Proposal for a regulation****Annex I – Part XI – point 112 – paragraph 3 – point 2**

Directive 2004/52/EC

Article 4 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(2), (4) and (5) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 4(2), (4) and (5) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 246**Proposal for a regulation****Annex I – Part XI – point 113 – paragraph 2 – point 2**

Directive 2004/54/EC

Article 16 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 16 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 16 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 247

Proposal for a regulation

Annex I – Part XI – point 114 – paragraph 1

Text proposed by the Commission

In order to adapt Regulation (EC) No 725/2004 to the evolution of international law, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend that Regulation in order to integrate the amendments to certain international instruments. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making ***of 13 April 2016***. In

Amendment

In order to adapt Regulation (EC) No 725/2004 to the evolution of international law, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend that Regulation in order to integrate the amendments to certain international instruments ***and to supplement it in order to establish harmonised procedures for the application of the mandatory provisions of the ISPS Code, without broadening the scope of that Regulation.*** It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level,

particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

Amendment 248

Proposal for a regulation Annex I – Part XI – point 114 – paragraph 2

Text proposed by the Commission

Amendment

In order to ensure uniform conditions for the implementation of Regulation (EC) No 725/2004 implementing powers should be conferred on the Commission in order to define harmonised procedures for the application of the mandatory provisions of the ISPS Code, without broadening the scope of that Regulation. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

deleted

Or. en

Amendment 249

Proposal for a regulation Annex I – Part XI – point 114 – paragraph 3 – point 1 Regulation (EC) No 725/2004 Article 10 – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission *shall* establish harmonised procedures for the application

3. The Commission *is empowered to adopt delegated acts in accordance with*

of the mandatory provisions of the ISPS Code, without broadening the scope of this Regulation. ***Those implementing acts shall be adopted in accordance with the procedure referred to in Article 11(2).;***

Article 10a supplementing this Regulation in order to establish harmonised procedures for the application of the mandatory provisions of the ISPS Code, without broadening the scope of this Regulation.";

Or. en

Amendment 250

Proposal for a regulation

Annex I – Part XI – point 114 – paragraph 3 – point 2

Regulation (EC) No 725/2004

Article 10 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 10(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of ***the*** entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 10(2) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 251

Proposal for a regulation

Annex I – Part XI – point 115 – paragraph 2 – point 3

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6(5) and Article 7(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 6(5) and Article 7(2) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year- period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 252

Proposal for a regulation

Annex I – Part XI – point 116 – paragraph 2 – point 3

Regulation (EC) No 789/2004

Article 9 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 9(1) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 9(1) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods***

of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 253

Proposal for a regulation

Annex I – Part XI – point 117 – paragraph 2 – point 2

Regulation (EC) No 868/2004

Article 14 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 5(3) shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 5(3) shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 254

Proposal for a regulation

Annex I – Part XI – point 118 – paragraph 2 – point 2

Directive 2005/44/EC

Article 10 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 255

Proposal for a regulation

Annex I – Part XI – point 119 – paragraph 2 – point 2

Directive 2005/65/EC

Article 14 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 14 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 14 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not***

later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 256

Proposal for a regulation

Annex I – Part XI – point 120 – paragraph 2 – point 3

Regulation (EC) No 2111/2005

Article 14 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3(2) and Article 8 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 3(2) and Article 8 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see

resolution of 25 February 2014, paragraph 9).

Amendment 257

Proposal for a regulation

Annex I – Part XI – point 121 – paragraph 3 – point 4

Directive 2006/126/EC

Article 8 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 1(2) and (3), Article 3(2) and Article 8 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 1(2) and (3), Article 3(2) and Article 8 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 258

Proposal for a regulation

Annex I – Part XI – point 122 – paragraph 2 – point 2

Regulation (EC) No 336/2006

Article 11 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 11(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [***the***

Amendment

2. The power to adopt delegated acts referred to in Article 11(2) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into

date of entry into force of this **Omnibus**].

force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 259

Proposal for a regulation

Annex I – Part XI – point 123 – paragraph 3 – point 6

Directive 2007/59/EC

Article 31 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(4), Article 22(4), Article 23(3), Article 25(5), Article 31(1) and Article 34 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 4(4), Article 22(4), Article 23(3), Article 25(5), Article 31(1) and Article 34 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 260

Proposal for a regulation

Annex I – Part XI – point 124 – paragraph 3 – point 2

Regulation (EC) No 1371/2007

Article 34 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 33 and Article 34 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [***the*** date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 33 and Article 34 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 261

Proposal for a regulation

Annex I – Part XI – point 125 – paragraph 2 – point 2

Directive 2008/68/EC

Article 8 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts

Amendment

2. The power to adopt delegated acts

referred to in Article 8(1) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

referred to in Article 8(1) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 262

Proposal for a regulation

Annex I – Part XI – point 126 – paragraph 3 – point 4

Directive 2008/96/EC

Article 12 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 7(1a) and Article 12 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 7(1a) and Article 12 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 263**Proposal for a regulation****Annex I – Part XI – point 127 – paragraph 3 – point 3**

Regulation (EC) No 300/2008

Article 18 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(2) and (4) and Article 11(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 4(2) and (4) and Article 11(2) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 264**Proposal for a regulation****Annex I – Part XI – point 128 – paragraph 3 – point 1**

Directive 2009/15/EC

Article 5 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 7(1) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 7(1) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 265

Proposal for a regulation

Annex I – Part XI – point 129 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

In order to ensure that Union standards are protected, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission amending this Directive in order to exclude from its scope any amendment to the IMO Code for the Investigation of Marine Casualties and Incidents, if, on the basis of an evaluation by the Commission, there is a manifest risk that such international amendment would lower the standard of maritime safety, prevention of pollution from ships or of protection of shipboard living and working conditions, established by Union

maritime legislation, or would be incompatible with the latter.

Or. en

Amendment 266

Proposal for a regulation

Annex I – Part XI – point 129 – paragraph 3 – point 2

Directive 2009/18/EC

Article 18 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 5(4) and Article 20 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 5(4) and Article 20 shall be conferred on the Commission for a period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 267

Proposal for a regulation

Annex I – Part XI – point 129 – paragraph 3 – point 4

Directive 2009/18/EC

Article 20 – paragraph 3

Text proposed by the Commission

3. *Amendments* to the IMO Code for the Investigation of Marine Casualties and

Amendment

3. *The Commission is empowered to adopt delegated acts in accordance with*

Incidents *may be excluded from the scope of this Directive pursuant to Article 5 of Regulation (EC) No 2099/2002.*

Article 18a amending this Directive in order to exclude from its scope any amendment to the IMO Code for the Investigation of Marine Casualties and Incidents if, on the basis of an evaluation by the Commission, there is a manifest risk that such international amendment would lower the standard of maritime safety, of prevention of pollution from ships or of protection of shipboard living and working conditions, established by Union maritime legislation, or would be incompatible with the latter.

Or. en

Amendment 268

Proposal for a regulation

Annex I – Part XI – point 130 – paragraph 2 – point 2

Directive 2009/33/EC

Article 8 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 7 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 7 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see

resolution of 25 February 2014, paragraph 9).

Amendment 269

Proposal for a regulation

Annex I – Part XI – point 131 – paragraph 3 – point 4

Regulation (EC) No 391/2009

Article 14 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 13(1) and Article 14(1) and (2) shall be conferred on the Commission for *an indeterminate* period of *time* from [*the* date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 13(1) and Article 14(1) and (2) shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 270

Proposal for a regulation

Annex I – Part XI – point 132 – paragraph 3 – point 2

Regulation (EC) No 392/2009

Article 9 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 9(1) and (2) shall be conferred on the Commission for *an indeterminate* period of *time* from [date of

Amendment

2. The power to adopt delegated acts referred to in Article 9(1) and (2) shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into

entry into force of this **Omnibus**].

force of this **amending Regulation**]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 271

Proposal for a regulation

Annex I – Part XI – point 133 – paragraph 3 – point 6

Regulation (EC) No 1071/2009

Article 24 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6(2) and Article 8(9) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 6(2) and Article 8(9) shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending Regulation**]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 272

Proposal for a regulation

Annex I – Part XI – point 134 – paragraph 2 – point 3

Regulation (EC) No 1072/2009

Article 14 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(2) and (4) and Article 5(4) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 4(2) and (4) and Article 5(4) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 273

Proposal for a regulation

Annex I – Part XI – point 135 – paragraph 3 – point 6

Regulation (EC) No 1073/2009

Article 25 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts

Amendment

2. The power to adopt delegated acts

referred to in Article 4(2), Article 5(3) and (5), Article 6(4), Article 7(2), Article 12(5) and Article 28(3) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

referred to in Article 4(2), Article 5(3) and (5), Article 6(4), Article 7(2), Article 12(5) and Article 28(3) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 274

Proposal for a regulation

Annex I – Part XII – point 136 – paragraph 2 – point 3

Directive 89/108/EEC

Article 11 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Articles 4 and 11 shall be conferred for ***an indeterminate*** period of ***time*** from [***the*** date of ***the*** entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Articles 4 and 11 shall be conferred ***on the Commission*** for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each***

period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 275

Proposal for a regulation

Annex I – Part XII – point 137 – paragraph 2 – point 3

Directive 1999/2/EC

Article 11 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 5(2), Article 7(2) and Article 14(3) shall be conferred for ***an indeterminate*** period of ***time*** from [***the*** entry into force of this ***OMNIBUS***].

Amendment

2. The power to adopt delegated acts referred to in Article 5(2), Article 7(2) and Article 14(3) shall be conferred ***on the Commission*** for a period of ***five years*** from ... [***date of*** entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 276

Proposal for a regulation

Annex I – Part XII – point 138 – paragraph 2 – point 3

Regulation (EC) No 141/2000

Article 10 b – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 8(4) shall be conferred **to** the Commission for **an indeterminate** period from [date of entry into force of this **omnibus**].

Amendment

2. The power to adopt delegated acts referred to in Article 8 (4) shall be conferred **on** the Commission for **a period of five years** from ... [date of entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.**

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 277

Proposal for a regulation

Annex I – Part XII – point 139 – paragraph 3 – point 5

Directive 2001/18/EC

Article 29 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 16(2), Article 21(2) and (3), Article 26(2) and Article 27 shall be conferred on the Commission for **an**

Amendment

2. The power to adopt delegated acts referred to Article 16(2), Article 21(2) and (3), Article 26(2) and Article 27 shall be conferred on the Commission for **a** period

indeterminate period of *time* from [date of entry into force of this *Omnibus*].

of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 278

Proposal for a regulation

Annex I – Part XII – point 140 – paragraph 3 – point 7

Directive 2001/83/EC

Article 121 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 14(1), Article 22b, Article 23b, Article 46a, Article 47, Article 52b, Article 54a and Article 120 shall be conferred *to* the Commission for *an indeterminate* period from [date of entry into force of this *omnibus*].

Amendment

2. The power to adopt delegated acts referred to Article 14(1), Article 22b, Article 23b, Article 46a, Article 47, Article 52b, Article 54a and Article 120 shall be conferred *on* the Commission for *a* period *of five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 279**Proposal for a regulation****Annex I – Part XII – point 141 – paragraph 3 – point 11**

Regulation (EC) No 999/2001

Article 23 b – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 5(3), Article 6(1), and (1b), Article 7(3), (4), and (4a), Article 8(1), (2), and (5), Article 9(1), and (3), Article 15(3), Article 16(7), Article 20(2) and Article 23 shall be conferred for ***an indeterminate*** period of ***time*** from ***the*** date of ***the*** entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 5(3), Article 6(1), and (1b), Article 7(3), (4), and (4a), Article 8(1), (2), and (5), Article 9(1) and (3), Article 15(3), Article 16(7), Article 20(2) and Article 23 shall be conferred ***on the Commission*** for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

The standard 5-year renewable delegation of power (if neither the Council nor the European Parliament withdraw it) should apply to all files in this policy area, as was the case in the previous legislation. This is also consistent with Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 280

Proposal for a regulation

Annex I – Part XII – point 142 – paragraph 2 – point 3

Directive 2002/32/EC

Article 10 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 7(2) and Article 8(1) and (2) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from ***the*** [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 7(2) and Article 8(1) and (2) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

The standard 5-year renewable delegation of power (if neither the Council nor the European Parliament withdraw it) should apply to all files in this policy area, as was the case in the previous legislation. This is also consistent with Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 281

Proposal for a regulation

Annex I – Part XII – point 143 – paragraph 1

Text proposed by the Commission

In order to achieve the objectives of Directive 2002/46/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I and II to that Directive in order to adapt those

Amendment

In order to achieve the objectives of Directive 2002/46/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I and II to that Directive in order to adapt those

Annexes to technical progress and to supplement that Directive as regards the purity criteria for substances listed in Annex II thereto, and the minimum amounts of vitamins and minerals that are to be present in food supplements. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016*. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Annexes to technical progress and to supplement that Directive as regards the purity criteria for substances listed in Annex II thereto, and the minimum *and maximum* amounts of vitamins and minerals that are to be present in food supplements. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

Justification

In line with amendments to Articles aligning measures previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 282

Proposal for a regulation

Annex I – Part XII – point 143 – paragraph 2

Text proposed by the Commission

Amendment

In order to ensure uniform conditions for the implementation of Directive 2002/46/EC, implementing powers should be conferred on the Commission concerning setting maximum amounts of vitamins and minerals. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

deleted

Or. en

Justification

In line with amendments to Articles aligning measures previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 283

Proposal for a regulation

Annex I – Part XII – point 143 – paragraph 3 – point 2

Directive 2002/46/EC

Article 5 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts in accordance with Article 12a setting the minimum amounts of vitamins and minerals referred to in paragraph 3 of this Article.

*The Commission shall set the maximum amounts of vitamins and minerals referred to in paragraphs 1 and 2 of this Article **by means of implementing act. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 13(2).***”

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 12a ***in order to supplement this Directive by setting:***

(a) the minimum amounts of vitamins and minerals referred to in paragraph 3 of this Article; ***and***

(b) the maximum amounts of vitamins and minerals referred to in paragraphs 1 and 2 of this Article.”

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 284

Proposal for a regulation

Annex I – Part XII – point 143 – paragraph 3 – point 3

Directive 2002/46/EC

Article 12 – paragraph 3

Text proposed by the Commission

(3) in Article 12, paragraph 3 is **deleted**;

Amendment

(3) in Article 12, paragraph 3 is **replaced by the following**:

“In order to remedy the difficulties mentioned in paragraph 1 and to ensure the protection of human health, the Commission is empowered to adopt delegated acts in accordance with Article 12a to supplement this Directive.

A Member State that has adopted safeguard measures may in that event maintain them in force until those delegated acts have been adopted.”

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts. In the absence of a justification on the reasons for deletion of Article 12(3) of Directive 2002/46/EC, it is proposed to maintain the content of that provision previously subjected to the Regulatory Procedure with Scrutiny, and to align it to delegated acts.

Amendment 285

Proposal for a regulation

Annex I – Part XII – point 143 – paragraph 3 – point 4

Directive 2002/46/EC

Article 12 a

Text proposed by the Commission

“Article 12a

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 4(2) and (5) **and** Article 5(4) shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

“Article 12a

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 4(2) and (5), Article 5(4) **and Article 12(3)** shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending Regulation**]. **The**

Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period

3. The delegation of power referred to in Article 4(2) and (5) **and** Article 5(4) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the *Inter-Institutional Agreement on Better Law-Making of 13 April 2016**.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 4(2) and (5) **and** Article 5(4) shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

3. The delegation of power referred to in Article 4(2) and (5), Article 5(4) **and Article 12(3)** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the *Interinstitutional Agreement of 13 April 2016* on Better Law-Making *.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 4(2) and (5), Article 5(4) **and Article 12(3)** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p. 1.”

* OJ L 123, 12.5.2016, p. 1.”

Or. en

Justification

Alignment of the duration of the empowerment and updating the references in line with previous amendments.

Amendment 286

Proposal for a regulation

Annex I – Part XII – point 144 – paragraph 2

Text proposed by the Commission

Amendment

In order to ensure uniform conditions for the implementation of point (i) of the second paragraph of Article 29 of Directive 2002/98/EC, implementing powers should be conferred on the Commission in order to establish the procedure for notifying serious adverse reactions and events as well as the notification format. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

deleted

Or. en

Justification

In line with amendments to Articles aligning measures previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 287

Proposal for a regulation

Annex I – Part XII – point 144 – paragraph 3 – point 1

Directive 2002/98/EC

Article 27 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in the first and third paragraphs of Article 29 shall be conferred for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***omnibus***].

Amendment

2. The power to adopt delegated acts referred to in the first and third paragraphs of Article 29 shall be conferred ***on the Commission*** for a period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 288

Proposal for a regulation

Annex I – Part XII – point 144 – paragraph 3 – point 3 – point a

Directive 2002/98/EC

Article 29 – paragraph 1

Text proposed by the Commission

“The Commission is empowered to adopt delegated acts in accordance with Article 27a ***concerning amendments to*** the technical requirements set out in Annexes I to IV in order to adapt them to technical and scientific progress.

Where in the case of the technical requirements set out in Annexes III and IV imperative grounds of urgency so require, the procedure provided for in Article 27b shall apply to delegated acts adopted pursuant to this Article.”

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 27a ***to amend*** the technical requirements set out in Annexes I to IV in order to adapt them to technical and scientific progress.

Where in the case of the technical requirements set out in Annexes III and IV imperative grounds of urgency so require, the procedure provided for in Article 27b shall apply to delegated acts adopted pursuant to this Article.”

Justification

Clarification of empowerment (i.e. to amend).

Amendment 289

Proposal for a regulation

Annex I – Part XII – point 144 – paragraph 3 – point 3 – point b

Directive 2002/98/EC

Article 29 – paragraph 2 – point i

Text proposed by the Commission

Amendment

(b) in the second paragraph, point (i) is deleted; **deleted**

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 290

Proposal for a regulation

Annex I – Part XII – point 144 – paragraph 3 – point 3 – point d

Directive 2002/98/EC

Article 29 – paragraph 5

Text proposed by the Commission

Amendment

(d) the following fifth paragraph is added: **deleted**

"The Commission shall establish the procedure for notifying serious adverse reactions and events as well as the notification format by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article

28(2).".

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 291

Proposal for a regulation

Annex I – Part XII – point 145 – paragraph 2 – point 5

Regulation (EC) No 178/2002

Article 57 a – paragraph 2

Text proposed by the Commission

2. The powers to adopt delegated acts referred to in Article 28(4), Article 29(6) and Article 36(3) shall be conferred **upon** the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

Amendment

2. The powers to adopt delegated acts referred to in Article 28(4), Article 29(6) and Article 36(3) shall be conferred **on** the Commission for **a period of five years** from ... [date of entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.**

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 292

Proposal for a regulation

Annex I – Part XII – point 146 – paragraph 2 – point 2

Directive 2003/99/EC

Article 5 – paragraph 1

Text proposed by the Commission

“1. If data collected through routine monitoring in accordance with Article 4 are not sufficient, the Commission is empowered to adopt delegated acts in accordance with Article 11a, laying down coordinated monitoring programmes concerning one or more zoonoses or zoonotic agents. Those delegated acts shall be adopted especially when specific needs are identified and when there is need to assess risks or to establish baseline values related to zoonoses or zoonotic agents at the level of Member States or at Union level.”

Amendment

“1. If data collected through routine monitoring in accordance with Article 4 are not sufficient, the Commission is empowered to adopt delegated acts in accordance with Article 11a **to supplement *this Directive*** by laying down coordinated monitoring programmes concerning one or more zoonoses or zoonotic agents. Those delegated acts shall be adopted especially when specific needs are identified and when there is need to assess risks or to establish baseline values related to zoonoses or zoonotic agents at the level of Member States or at Union level.”

Or. en

Justification

Clarification of empowerment (i.e to supplement).

Amendment 293

Proposal for a regulation

Annex I – Part XII – point 146 – paragraph 2 – point 3

Directive 2003/99/EC

Article 11

Text proposed by the Commission

(3) ***in*** Article 11, ***the first and second paragraphs are*** replaced by the following:

The Commission is empowered to adopt delegated acts in accordance with Article 11a to amend Annexes II, III and IV, taking account in particular of the

Amendment

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

“Article 11

Amendments to the Annexes and implementing measures

The Commission is empowered to adopt delegated acts in accordance with Article 11a to amend Annexes II, III and IV, taking account in particular of the

following criteria:

- (a) the occurrence of zoonoses, zoonotic agents and antimicrobial resistance in animal and human population, feed, food and the environment,
- (b) the availability of new monitoring and reporting tools,
- (c) the needs required for the assessment of trends at national, European or global level.

following criteria:

- (a) the occurrence of zoonoses, zoonotic agents and antimicrobial resistance in animal and human population, feed, food and the environment,
- (b) the availability of new monitoring and reporting tools,
- (c) the needs required for the assessment of trends at national, European or global level.

In addition, implementing measures may be adopted in accordance with the committee procedure referred to in Article 12(2)."

Or. en

Justification

The criteria inserted are new, however they make the empowerment more precise by explaining what could justify amending the Annexes (thus not just giving a "blank" empowerment). Since the Commission proposal has kept the last paragraph of Article 11 of Directive 2003/99/EC without any changes, it makes sense to add a deletion of the "transitional measures" mentioned in that paragraph (as transitional measures are no longer needed).

Amendment 294

Proposal for a regulation

Annex I – Part XII – point 146 – paragraph 2 – point 4

Directive 2003/99/EC

Article 11 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(4), Article 5(1) and Article 11 shall be conferred for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The powers to adopt delegated acts referred to in Article 4(4), Article 5(1) and Article 11 shall be conferred ***on the Commission*** for ***a period of five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical***

duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 295

Proposal for a regulation

Annex I – Part XII – point 147 – paragraph 1

Text proposed by the Commission

In order to achieve the objectives of Regulation (EC) No 1829/2003, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annex to that Regulation in order to adapt to technical progress and to supplement that Regulation by establishing appropriate lower thresholds for GMO presence in food and feed, below which the labelling requirements do not apply, subject to certain conditions and by establishing specific rules concerning the information to be given by mass caterers providing food to the final consumer.

Amendment

In order to achieve the objectives of Regulation (EC) No 1829/2003, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annex to that Regulation in order to adapt to technical progress and to supplement that Regulation ***by determining which food and feed falls within the scope of different sections of that Regulation, by*** establishing appropriate lower thresholds for GMO presence in food and feed, below which the labelling requirements do not apply, subject to certain conditions, ***by establishing measures for operators to satisfy the competent authorities and measures necessary for operators to comply with the labelling requirements*** and by establishing specific rules concerning the information to be given by mass caterers providing food to the final consumer.

Or. en

Justification

In line with amendments to Articles aligning measures previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 296

Proposal for a regulation

Annex I – Part XII – point 147 – paragraph 3

Text proposed by the Commission

In order to ensure uniform conditions for the implementation of Regulation (EC) No 1829/2003, implementing powers should be conferred on the Commission concerning ***measures for operators to satisfy the competent authorities, measures necessary for operators to comply with the labelling requirements and*** rules to facilitate the uniform application of certain provisions. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Amendment

In order to ensure uniform conditions for the implementation of Regulation (EC) No 1829/2003, implementing powers should be conferred on the Commission concerning rules to facilitate the uniform application of certain provisions. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Or. en

Justification

In line with amendments to Articles aligning measures previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 297

Proposal for a regulation

Annex I – Part XII – point 147 – paragraph 4 –point 1

Regulation (EC) No 1829/2003

Article 3 – paragraph 2

Text proposed by the Commission

“2. The Commission ***may decide, by means of implementing acts,*** whether a type of food falls within the scope of this Section. ***Those implementing acts shall be adopted in accordance with the procedure***

Amendment

“2. The Commission ***is empowered to adopt delegated acts in accordance with Article 34a to supplement this Regulation by determining*** whether a type of food falls within the scope of this Section.”

referred to in Article 35(2).”

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 298

Proposal for a regulation

Annex I – Part XII – point 147 – paragraph 4 – point 2

Regulation (EC) No 1829/2003

Article 12 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts, in accordance with Article 34a, establishing appropriate lower thresholds, in particular in respect of foods containing or consisting of GMOs, or taking account of advances in science and technology.”

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 34a **to supplement this Regulation by** establishing appropriate lower thresholds, in particular in respect of foods containing or consisting of GMOs, or taking account of advances in science and technology.”

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 299

Proposal for a regulation

Annex I – Part XII – point 147 – paragraph 4 – point 3

Regulation (EC) No 1829/2003

Article 14

Text proposed by the Commission

“Article 14

Delegated and implementing powers

1. The Commission is empowered to

Amendment

“Article 14

Delegated and implementing powers

1. The Commission is empowered to

adopt delegated acts, in accordance with Article 34a, **adopting** specific rules concerning the information to be given by mass caterers providing food to the final consumer. In order to take account of the specific situation of mass caterers, such rules may provide for adaptation of the requirements set out in Article 13(1)(e).

2. The Commission may adopt, by means of implementing acts:

(a) measures necessary for operators to satisfy the competent authorities as referred to in Article 12(3);

(b) measures necessary for operators to comply with the labelling requirements set out in Article 13;

(c) detailed rules to facilitate the uniform application of Article 13.

Those implementing acts shall be adopted in accordance with the procedure referred to in Article 35(2).

adopt delegated acts in accordance with Article 34a, **to supplement this Regulation by establishing:**

(a) measures necessary for operators to satisfy the competent authorities as referred to in Article 12(3);

(b) measures necessary for operators to comply with the labelling requirements set out in Article 13; and

(c) specific rules concerning the information to be given by mass caterers providing food to the final consumer. In order to take account of the specific situation of mass caterers, such rules may provide for adaptation of the requirements set out in Article 13(1)(e).

2. The Commission may adopt **detailed rules to facilitate the uniform application of Article 13** by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 35(2).

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with

Scrutiny to delegated acts.

Amendment 300

Proposal for a regulation

Annex I – Part XII – point 147 – paragraph 4 – point 4

Regulation (EC) No 1829/2003

Article 15 – paragraph 2

Text proposed by the Commission

“2. The Commission *may decide, by means of implementing acts*, whether a type of feed falls within the scope of this Section. *Those implementing acts shall be adopted in accordance with the procedure referred to in Article 35(2).*”

Amendment

“2. The Commission *is empowered to adopt delegated acts in accordance with Article 34a to supplement this Regulation by determining* whether a type of feed falls within the scope of this Section.”

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 301

Proposal for a regulation

Annex I – Part XII – point 147 – paragraph 4 – point 5

Regulation (EC) No 1829/2003

Article 24 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts, in accordance with Article 34a, establishing appropriate lower thresholds, in particular in respect of feed containing or consisting of GMOs, or taking account of advances in science and technology.”

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 34a *to supplement this Regulation by* establishing appropriate lower thresholds, in particular in respect of feed containing or consisting of GMOs, or taking account of advances in science and technology.”

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 302

Proposal for a regulation

Annex I – Part XII – point 147 – paragraph 4 – point 6

Regulation (EC) No 1829/2003

Article 26

Text proposed by the Commission

“Article 26

Implementing powers

The Commission *may adopt, by means of implementing acts:*

(a) measures necessary for operators to satisfy the competent authorities as referred to in Article 24(3);

(b) measures necessary for operators to comply with the labelling requirements set out in Article 25;

(c) *detailed rules to facilitate the uniform application of Article 25.*

Those implementing acts shall be adopted in accordance with the procedure referred to in Article 35(2).”

Amendment

“Article 26

Delegated and implementing powers

1. The Commission *is empowered to adopt delegated acts in accordance with Article 34a to supplement this Regulation by establishing:*

(a) measures necessary for operators to satisfy the competent authorities as referred to in Article 24(3);

(b) measures necessary for operators to comply with the labelling requirements set out in Article 25.

2. *The Commission may adopt detailed rules to facilitate the uniform application of Article 25 by means of implementing acts.* Those implementing acts shall be adopted in accordance with the procedure referred to in Article 35(2).”

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 303

Proposal for a regulation

Annex I – Part XII – point 147 – paragraph 4 –point 8

Regulation (EC) No 1829/2003

Article 34 a

Text proposed by the Commission

“Article 34a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 12(4), Article 14(1a), Article 24(4) and Article 32, **sixth paragraph**, shall be conferred on the Commission for **an indeterminate** period of **time** from [date of entry into force of this **Omnibus**].

3. The **delegations** of power referred to in Article 12(4), Article 14(1a), Article 24(4) and Article 32, **sixth paragraph**, may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better

Amendment

“Article 34a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in **Article 3(2)**, Article 12(4), Article 14(1), **Article 15 (2)**, Article 24(4), **Article 26 (1)** and **in the sixth paragraph of** Article 32 shall be conferred on the Commission for **a** period of **five years** from ... [date of entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.**

3. The **delegation** of power referred to in **Article 3(2)**, Article 12(4), Article 14(1), **Article 15(2)**, Article 24(4), **Article 26(1)** and **in the sixth paragraph of** Article 32 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement **of 13**

Law-Making *of 13 April 2016**.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 12(4), Article 14(1a), Article 24(4) *or* Article 32, *sixth paragraph*, shall enter into force only if no objection has been expressed either by the European Parliament or *by* the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p.1.”

April 2016 on Better Law-Making *.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to *Article 3(2)*, Article 12(4), Article 14(*1*), *Article 15(2)*, Article 24(4), *Article 26(1) and in the sixth paragraph of* Article 32 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p. 1.”

Or. en

Justification

Alignment of the duration of the empowerment and updating the references in line with previous amendments.

Amendment 304

Proposal for a regulation

Annex I – Part XII – point 148 – paragraph 2 – point 2

Regulation (EC) No 1830/2003

Article 9 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for *an indeterminate* period of *time from* [date of entry into force of this *Omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for *a* period of *five years from ...* [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not*

later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

Justification

The standard 5-year renewable delegation of power (if neither the Council nor the European Parliament withdraw it) should apply to all files in this policy area, as was the case in the previous legislation. This is also consistent with Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 305

Proposal for a regulation

Annex I – Part XII – point 149 – paragraph 2 – point 6

Regulation (EC) No 1831/2003

Article 21 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3(5), Article 6(3), Article 7(5), Article 16(6) and Article 21 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from the [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 3(5), Article 6(3), Article 7(5), Article 16(6) and Article 21 shall be conferred on the Commission for ***a*** period of ***five years*** from the ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Amendment 306

Proposal for a regulation

Annex I – Part XII – point 150 – paragraph 2 – point 3

Regulation (EC) No 2065/2003

Article 18 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 17(3) and Article 18(1) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 17(3) and Article 18(1) shall be conferred on the Commission for ***a*** period ***of five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 307

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 1

Text proposed by the Commission

In order to achieve the objectives of Regulation (EC) No 2160/2003, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I, II and III to that Regulation and to supplement that Regulation as regards the Union targets for the reduction of the prevalence of zoonoses and zoonotic agents, specific control methods, specific

Amendment

In order to achieve the objectives of Regulation (EC) No 2160/2003, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I, II and III to that Regulation and to supplement that Regulation as regards the Union targets for the reduction of the prevalence of zoonoses and zoonotic agents, specific control methods, specific

rules on criteria relating to imports from third countries, the responsibilities and tasks of the Union reference laboratories and certain responsibilities and tasks of the national reference laboratories. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016*. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

rules on criteria relating to imports from third countries, the responsibilities and tasks of the Union reference laboratories, ***approval of methods for testing***, and ***as regards*** certain responsibilities and tasks of the national reference laboratories. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement ***of 13 April 2016*** on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

Justification

In line with amendments to Articles aligning measures previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 308

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 2

Text proposed by the Commission

Amendment

In order to ensure uniform conditions for the implementation of Regulation (EC) 2160/2003, implementing powers should be conferred on the Commission concerning approving methods for testing. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

deleted

Or. en

Justification

In line with amendments to Articles aligning measures previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 309

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 3 – point 1 – point a

Regulation (EC) No 2160/2003

Article 4 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission is empowered to adopt delegated acts in accordance with Article 13a concerning the Union targets for the reduction of the prevalence of zoonoses and zoonotic agents listed in Annex I, column 1, in the animal populations listed in Annex I, column 2, taking account, in particular, of:

Amendment

1. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation as regards** the Union targets for the reduction of the prevalence of zoonoses and zoonotic agents listed in Annex I, column 1, in the animal populations listed in Annex I, column 2, taking account, in particular, of:

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 310

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 3 – point 3

Regulation (EC) No 2160/2003

Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission is empowered to adopt delegated acts in accordance **with** Article 13a **concerning**:

Amendment

1. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation as regards**:

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 311

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 3 – point 4

Regulation (EC) No 2160/2003

Article 9 – paragraph 4

Text proposed by the Commission

“4. Without prejudice to Article 5(6), the Commission is empowered to adopt delegated acts in accordance with Article 13a, establishing the rules concerning the setting by Member States of the criteria referred to in Article 5(5) and in paragraph 2 of this Article.”

Amendment

“4. Without prejudice to Article 5(6), the Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation by** establishing the rules concerning the setting by Member States of the criteria referred to in Article 5(5) and in paragraph 2 of this Article.”

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 312

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 3 – point 5

Regulation (EC) No 2160/2003

Article 10 – paragraph 5

Text proposed by the Commission

“The authorisation may be withdrawn in accordance with the same procedure. **and,** without prejudice to Article 5(6), the Commission is empowered to adopt delegated acts in accordance with Article 13a establishing specific rules concerning such criteria.”

Amendment

“The authorisation may be withdrawn in accordance with the same procedure. Without prejudice to Article 5(6), the Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation by** establishing specific rules concerning such criteria.”

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 313

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 3 – point 6 – point a

Regulation (EC) No 2160/2003

Article 11 – paragraph 2

Text proposed by the Commission

“2. The Commission is empowered to adopt delegated acts in accordance with Article 13a **laying** down the responsibilities and tasks of the Union reference laboratories, in particular with regard to coordination of their activities and those of the national reference laboratories.”

Amendment

“2. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation by** laying down the responsibilities and tasks of the Union reference laboratories, in particular with regard to coordination of their activities and those of the national reference laboratories.”

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 314

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 3 – point 6 – point b

Regulation (EC) No 2160/2003

Article 11 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated acts in accordance with Article 13a laying down certain responsibilities and tasks of the national reference laboratories, in particular with regard to coordination of their activities and those of the relevant laboratories in the Member States designated under Article 12(1)(a).”

Amendment

“4. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation by** laying down certain responsibilities and tasks of the national reference laboratories, in particular with regard to coordination of their activities and those of the relevant laboratories in the Member States designated under Article 12(1)(a).”

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 315**Proposal for a regulation**

Annex I – Part XII – point 151 – paragraph 3 – point 7

Regulation (EC) No 2160/2003

Article 12 – paragraph 3 – subparagraph 3

Text proposed by the Commission

“3. The Commission *may approve, by means of implementing acts*, other methods for testing referred in paragraph 3. *Those implementing acts shall be adopted in accordance with the procedure referred to in Article 14(2).*”

Amendment

“The Commission *is empowered to adopt delegated acts in accordance with Article 13a to supplement this Regulation by approving* other methods for testing *than those* referred in *the first and second subparagraph of this* paragraph.”

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 316**Proposal for a regulation**

Annex I – Part XII – point 151 – paragraph 3 – point 8

Regulation (EC) No 2160/2003

Article 13

Text proposed by the Commission

(8) *in* Article 13, *the first paragraph* is replaced by the following:

“The Commission is empowered to adopt delegated acts in accordance with Article

Amendment

(8) Article 13 is replaced by the following:

“Article 13

Delegated and implementing powers

The Commission is empowered to adopt delegated acts in accordance with Article

13a amending elements concerning the relevant health certificates.”

13a *to supplement this Regulation by* amending elements concerning the relevant health certificates.

In addition, implementing measures may be adopted in accordance with the regulatory procedure referred to in Article 14(2).”

Or. en

Justification

Clarification of empowerment (i.e. to supplement). Since the Commission proposal has kept the last paragraph of Article 13 of Regulation (EC) No 2160/2003 without any changes, it makes sense to add a deletion of the “transitional measures” mentioned in that paragraph (as transitional measures are no longer needed).

Amendment 317

Proposal for a regulation

Annex I – Part XII – point 151 – paragraph 3 – point 9

Regulation (EC) No 2160/2003

Article 13 a

Text proposed by the Commission

“1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 3(1), (6), and (7), Article 5(6), Article 8(1), Article 9(4), Article 10(5), Article 11(2) and (4) and Article 13 shall be conferred for *an indeterminate* period of time from [date of entry into force of this *Omnibus*].

Amendment

“1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 3(1), (6), and (7), Article 5(6), Article 8(1), Article 9(4), Article 10(5), Article 11(2) and (4), *the third subparagraph of Article 12(3)* and Article 13 shall be conferred *on the Commission* for *a period of five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of*

3. The delegation of powers referred to in Article 3(1), (6), and (7), Article 5(6), Article 8(1), Article 9(4), Article 10(5), 11(2) and (4) and Article 13 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adapting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better-Law-making *of 13 April 2016**.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 3(1), (6), and (7), Article 5(6), Article 8(1), Article 9(4), Article 10(5), Article 11(2) and (4) and Article 13 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

* OJ L 123, 12.5.2016, p.1.";

each period.

3. The delegation of powers referred to in Article 3(1), (6), and (7), Article 5(6), Article 8(1), Article 9(4), Article 10(5), 11(2) and (4), ***the third subparagraph of Article 12(3)*** and Article 13 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adapting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement ***of 13 April 2016*** on Better-Law-making*.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 3(1), (6), and (7), Article 5(6), Article 8(1), Article 9(4), Article 10(5), Article 11(2) and (4), ***the third subparagraph of Article 12(3)*** and Article 13 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or ***of the Council.***

* OJ L 123, 12.5.2016, p.1.";

Justification

Alignment of the duration of the empowerment and updating the references in line with previous amendments.

Amendment 318

Proposal for a regulation

Annex I – Part XII – point 152 – paragraph 1

Text proposed by the Commission

In order to achieve the objectives of Directive 2004/23/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to supplement that Directive with traceability requirements for tissues and cells, as well as for products and materials coming into contact with those tissues and cells and having an effect on their quality, *and* to supplement that Directive with certain technical requirements. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016*. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment

In order to achieve the objectives of Directive 2004/23/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to supplement that Directive ***by establishing*** traceability requirements for tissues and cells, as well as for products and materials coming into contact with those tissues and cells and having an effect on their quality, ***and by establishing procedures for ensuring traceability and for verifying the equivalent standards of quality and safety of imported tissues and cells,*** and to supplement that Directive with ***respect to*** certain technical requirements. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement ***of 13 April 2016*** on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Justification

In line with amendments to Articles aligning measures previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 319

Proposal for a regulation

Annex I – Part XII – point 152 – paragraph 2

Text proposed by the Commission

Amendment

In order to ensure uniform conditions for the implementation of Directive 2004/23/EC implementing powers should be conferred on the Commission to establish procedures for ensuring traceability and for verifying the equivalent standards of quality and safety of imported tissues and cells. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

deleted

Or. en

Justification

In line with amendments to Articles aligning measures previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 320

Proposal for a regulation

Annex I – Part XII – point 152 – paragraph 3 – point 1

Directive 2004/23/EC

Article 8 – paragraph 5

Text proposed by the Commission

Amendment

5. The Commission is empowered to adopt delegated acts in accordance with Article 28a to establish traceability requirements for tissues and cells, **as well as** for products and materials coming into contact with those tissues and cells and having an effect on their quality and safety.

5. The Commission is empowered to adopt delegated acts in accordance with Article 28a **to supplement this Directive, by establishing** traceability requirements for tissues and cells, for products and materials coming into contact with those tissues and cells and having an effect on their quality and safety, **as well as by**

establishing the procedures for ensuring traceability at Union level.

Or. en

Justification

Amendments to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts, and to clarify the empowerment (i.e. to supplement).

Amendment 321

Proposal for a regulation

Annex I – Part XII – point 152 – paragraph 3 – point 1

Directive 2004/23/EC

Article 8 – paragraph 6

Text proposed by the Commission

Amendment

6. The Commission shall establish the procedures for ensuring traceability at Union level by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 29(2)."; **deleted**

Or. en

Justification

Amendments to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts, and to clarify the empowerment (i.e. to supplement).

Amendment 322

Proposal for a regulation

Annex I – Part XII – point 152 – paragraph 3 – point 2

Directive 2004/23/EC

Article 9 – paragraph 4

Text proposed by the Commission

Amendment

“4. The Commission *shall establish* the procedures for verifying the equivalent standards of quality and safety in accordance with paragraph 1 *by means of*

“4. The Commission *is empowered to adopt delegated acts in accordance with Article 28a to supplement this Directive by establishing* the procedures for verifying

implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 29(2)."

the equivalent standards of quality and safety in accordance with paragraph 1."

Or. en

Justification

Amendments to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 323

Proposal for a regulation

Annex I – Part XII – point 152 – paragraph 3 – point 3

Directive 2004/23/EC

Article 28 – paragraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 28a with respect to the technical requirements referred to in points (a) to (i) of the first paragraph.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 28a ***to supplement this Directive*** with respect to the technical requirements referred to in points (a) to (i) of the first paragraph.

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 324

Proposal for a regulation

Annex I – Part XII – point 152 – paragraph 3 – point 4

Directive 2004/23/EC

Article 28 a

Text proposed by the Commission

"Article 28a

Exercise of the delegation

Amendment

"Article 28a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The delegation of power referred to in Article 8(5) and in the second paragraph of Article 28 shall be conferred for an *indeterminate* period *of time* from the [date of entry into force of this *omnibus*].

3. The delegation of power referred to in Article 8(5) and in the second paragraph of Article 28 may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016**.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 8(5) and in the second paragraph of Article 28 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The delegation of power referred to in Article 8(5), **Article 9(4)**, and in the second paragraph of Article 28 shall be conferred *on the Commission* for a period *of five years* from the ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

3. The delegation of power referred to in Article 8(5), **Article 9(4)**, and in the second paragraph of Article 28 may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making *.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 8(5), **Article 9(4)**, and in the second paragraph of Article 28 shall enter into force only if no objection has been expressed either by the European

a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

* OJ L 123, 12.5.2016, p.1.";

Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or *of* the Council.

* OJ L 123, 12.5.2016, p.1.";

Or. en

Justification

Alignment of the duration of the empowerment and updating the references in line with previous amendments.

Amendment 325

Proposal for a regulation

Annex I – Part XII – point 153 – paragraph 2 – point 1

Regulation (EC) No 852/2004

Article 4 – paragraph 4 – introductory part

Text proposed by the Commission

4. The Commission is empowered to adopt delegated acts in accordance with Article 13a **adopting** the specific hygiene measures referred to in paragraph 3, in particular concerning:

Amendment

4. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation by laying down** the specific hygiene measures referred to in paragraph 3, in particular concerning:

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 326

Proposal for a regulation

Annex I – Part XII – point 153 – paragraph 2 – point 2

Regulation (EC) No 852/2004

Article 6 – paragraph 3 – point c

Text proposed by the Commission

“(c) by a delegated act that the Commission is empowered to adopt in accordance with Article 13a.”

Amendment

“(c) by a delegated act that the Commission is empowered to adopt in accordance with Article 13a **and that supplements this Regulation.**”

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 327

Proposal for a regulation

Annex I – Part XII – point 153 – paragraph 2 – point 4

Regulation (EC) No 852/2004

Article 13 – paragraph 2

Text proposed by the Commission

2. The Commission is empowered to adopt delegated acts in accordance with Article 13a granting derogations from **Annexes I and II**, taking into account the relevant risk factors and provided that such derogations do not affect the achievement of the **following** objectives of this Regulation:

(a) to facilitate the implementation of Article 5 for small businesses;

(b) to establishments producing, handling or processing raw material which is intended for the production of

Amendment

2. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation by** granting derogations from **Annex I and II, in particular to facilitate the implementation of Article 5 for small businesses**, taking into account the relevant risk factors and provided that such derogations do not affect the achievement of the objectives of this Regulation.

highly refined food products which have undergone a treatment ensuring its safety.

Or. en

Justification

This amendment reflects the original wording of paragraph 2 much better. Derogations should not affect any of the objectives of the Regulation (EC) No 852/2004. The wording proposed by the Commission inexplicably mixes up the reasons for derogations with the objectives of the Regulation (points (a) and (b) are not the objectives of the Regulation). In addition, point (b) is not present in the current wording of Article 13 thereof.

Amendment 328

Proposal for a regulation

Annex I – Part XII – point 153 – paragraph 2 – point 6

Regulation (EC) No 852/2004

Article 13 a

Text proposed by the Commission

“Article 13a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 4(4), Article 6(3)(c), Article 12 and Article 13(1) and (2) shall be conferred for *an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

3. The delegation of powers referred to in Article 4(4), Article 6(3)(c), Article

Amendment

“Article 13a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 4(4), Article 6(3)(c), Article 12 and Article 13(1) and (2) shall be conferred **on the Commission** for a period of **five years** from ... [date of entry into force of this **amending Regulation**]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

3. The delegation of powers referred to in Article 4(4), Article 6(3)(c), Article

12 and Article 13(1) and (2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adapting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better-Law-making *of 13 April 2016**.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 4(4), Article 6(3)(c), Article 12 and Article 13(1) and (2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

* OJ L 123, 12.5.2016, p.1.”

12 and Article 13(1) and (2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adapting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better-Law-making*.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 4(4), Article 6(3)(c), Article 12 and Article 13(1) and (2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or *of* the Council.

* OJ L 123, 12.5.2016, p.1.”

Or. en

Justification

Alignment of the duration of the empowerment and updating the references in line with previous amendments.

Amendment 329

Proposal for a regulation

Annex I – Part XII – point 154 – paragraph 2 – point 6

Regulation (EC) No 853/2004

Article 11 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3(2), Article 8(3)(a) and Article 10(1) and (2) shall be conferred for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 3(2), Article 8(3)(a) and Article 10(1) and (2) shall be conferred ***on the Commission*** for a period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 330

Proposal for a regulation

Annex I – Part XII – point 155 – paragraph 2 – point 2

Regulation (EC) No 854/2004

Article 17 – paragraph 2

Text proposed by the Commission

2. The Commission is empowered to adopt delegated acts in accordance with Article 18a granting derogations from

Amendment

2. The Commission is empowered to adopt delegated acts in accordance with Article 18a ***to supplement this Regulation***

Annexes I, II, III, IV, V and VI **them**, taking into account the relevant risk factors, provided that such derogations do not affect the achievement of the **following** objectives of this Regulation:

- (i) **to** facilitate the implementation of the requirements laid down in the Annexes in small businesses;
- (ii) **to** enable the continued use of traditional methods at any of the stages of production, processing or distribution of food;
- (iii) **to** accommodate the needs of food businesses situated in regions that are subject to special geographic constraints.

by granting derogations from Annexes I, II, III, IV, V and VI, taking into account the relevant risk factors, provided that such derogations do not affect the achievement of the objectives of this Regulation, **in order to**:

- (i) facilitate the implementation of the requirements laid down in the Annexes in small businesses;
- (ii) enable the continued use of traditional methods at any of the stages of production, processing or distribution of food;
- (iii) accommodate the needs of food businesses situated in regions that are subject to special geographic constraints.

Or. en

Justification

This amendment clarifies the empowerment (i.e. to supplement).

Amendment 331

Proposal for a regulation

Annex I – Part XII – point 155 – paragraph 2 – point 3 – point a

Regulation (EC) No 854/2004

Article 18 – introductory part

Text proposed by the Commission

“Without prejudice to the general application of **Article 16** and Article 17(1), the Commission **may** lay down the following measures **by means of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 12(2):**”;

Amendment

“Without prejudice to the general application of Article 17(1), the Commission **is empowered to adopt delegated acts in accordance with Article 18a to supplement this Regulation by laying down the following measures:**”

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts. Reference to Article 16 of Regulation (EC) No 854/2004 is no longer needed, as that provision is deleted according to the Commission proposal

Amendment 332

Proposal for a regulation

Annex I – Part XII – point 155 – paragraph 2 – point 4

Regulation (EC) No 854/2004

Article 18 a

Text proposed by the Commission

“Article 18a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 17(1) and (2) shall be conferred *for an indeterminate* period of *time* from [date of entry into force of this *Omnibus*].

3. The delegation of powers referred to in Article 17(1) and (2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment

“Article 18a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 17(1) and (2) *and in Article 18* shall be conferred *on the Commission for a period of five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

3. The delegation of powers referred to in Article 17(1) and (2) *and in Article 18* may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts

4. Before **adapting** a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better-Law-making **of 13 April 2016***.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant Article 17(1) and (2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

* OJ L 123, 12.5.2016, p.1.”

already in force.

4. Before **adopting** a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement **of 13 April 2016** on Better-Law-making *.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant Article 17(1) and (2) **and Article 18** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or **of** the Council.

* OJ L 123, 12.5.2016, p.1.”

Or. en

Justification

Alignment of the duration of the empowerment and updating the references in line with previous amendments.

Amendment 333

Proposal for a regulation

Annex I – Part XII – point 156 – paragraph 2 – point 5

Regulation (EC) No 808/2004

Article 30 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 5(3), Article 10(3),

Amendment

2. The power to adopt delegated acts referred to in Article 5(3), Article 10(3),

Article 27 and Article 28 shall be conferred on the Commission for *an indeterminate* period of *time* from [date of entry into force of *the Omnibus*].

Article 27 and Article 28 shall be conferred on the Commission for *a* period of *five years* from ... [date of entry into force of *this amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

The standard 5-year renewable delegation of power (if neither the Council nor the European Parliament withdraw it) should apply to all files in this policy area, as was the case in the previous legislation. This is also consistent with Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 334

Proposal for a regulation

Annex I – Part XII – point 157 – paragraph 3 – point 4

Regulation (EC) No 1901/2006

Article 50 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 20(2) and Article 49(3) shall be conferred *to* the Commission for *an indeterminate* period from [date of entry into force of this *omnibus*].

Amendment

2. The power to adopt delegated acts referred to in Article 20(2) and Article 49(3) shall be conferred *on* the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of*

each period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 335

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 1 – indent 5 a (new)

Text proposed by the Commission

Amendment

- *the adoption of the Union list of permitted health claims other than those referring to the reduction of disease risk and to children's development and health, and their conditions of use, any changes or any additions to that list, and final decisions on applications for authorisations of claims.*

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 336

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 3

Text proposed by the Commission

Amendment

In order to ensure uniform conditions for the implementation of Regulation (EC) No 1924/2006, implementing powers should be conferred on the Commission as regards the adoption of the Union list of permitted health claims other than those referring to the reduction of disease *deleted*

risk and to children's development and health and their conditions of use, any changes or any additions to that list, and as regards final decisions on applications for authorisations of claims. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 337

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 1 – point a

Regulation (EC) No 1924/2006

Article 1 – paragraph 2 – subparagraph 2

Text proposed by the Commission

In the case of non-prepackaged foodstuffs (including fresh products such as fruit, vegetables or bread) put up for sale to the final consumer or to mass caterers and foodstuffs packed at the point of sale at the request of the purchaser or pre-packaged with a view to immediate sale, Article 7 and Article 10(2)(a) and (b) shall not apply. The Commission is empowered to adopt delegated acts in accordance with Article 24a concerning the labelling information for those non-prepackaged foodstuffs. National provisions may apply until the eventual adoption of those delegated acts.

Amendment

In the case of non-prepackaged foodstuffs (including fresh products such as fruit, vegetables or bread) put up for sale to the final consumer or to mass caterers and foodstuffs packed at the point of sale at the request of the purchaser or pre-packaged with a view to immediate sale, Article 7 and Article 10(2)(a) and (b) shall not apply. The Commission is empowered to adopt delegated acts in accordance with Article 24a **to supplement this Regulation** concerning the labelling information for those non-prepackaged foodstuffs. National provisions may apply until the eventual adoption of those delegated acts.

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 338

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 1 – point b

Regulation (EC) No 1924/2006

Article 1 – paragraph 4

Text proposed by the Commission

“4. For generic descriptors (denominations) which have traditionally been used to indicate a particularity of a class of foods or beverages which could imply an effect on human health, food business operators concerned may apply for a derogation from paragraph 3. The application shall be sent to the national competent authority of a Member State which will forward it to the Commission without delay. The Commission shall adopt and make public the rules for food business operators according to which such applications shall be made, so as to ensure that the application is dealt with transparently and within a reasonable time. The Commission is empowered to adopt delegated acts in accordance with Article 24a concerning derogations from paragraph 3.”

Amendment

“4. For generic descriptors (denominations) which have traditionally been used to indicate a particularity of a class of foods or beverages which could imply an effect on human health, food business operators concerned may apply for a derogation from paragraph 3. The application shall be sent to the national competent authority of a Member State which will forward it to the Commission without delay. The Commission shall adopt and make public the rules for food business operators according to which such applications shall be made, so as to ensure that the application is dealt with transparently and within a reasonable time. The Commission is empowered to adopt delegated acts in accordance with Article 24a **to supplement this Regulation** concerning derogations from paragraph 3.”

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 339

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 2 – point b

Regulation (EC) No 1924/2006

Article 3 – paragraph 2 a

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 24a derogating from point (d) of the second

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 24a **to supplement this Regulation by**

subparagraph of this Article in the case of nutrients for which sufficient quantities cannot be provided by a balanced and varied diet; the delegated acts shall include conditions for the application of the derogations, taking into account the special conditions present in Member States.

granting derogations from point (d) of the second **paragraph** of this Article in the case of nutrients for which sufficient quantities cannot be provided by a balanced and varied diet; the delegated acts shall include conditions for the application of the derogations, taking into account the special conditions present in Member States.

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 340

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 3 – point a – point i

Regulation (EC) No 1924/2006

Article 4 – paragraph 1 – subparagraph 1

Text proposed by the Commission

“**1.** The Commission is empowered to adopt delegated acts in accordance with Article 24a by 19 January 2009 establishing specific nutrient profiles, including exemptions, which food or certain categories of food must comply with in order to bear nutrition or health claims and the conditions for the use of nutrition or health claims for foods or categories of foods with respect to the nutrient profiles.”;

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 24a by 19 January 2009 **to supplement this Regulation by** establishing specific nutrient profiles, including exemptions, which food or certain categories of food must comply with in order to bear nutrition or health claims and the conditions for the use of nutrition or health claims for foods or categories of foods with respect to the nutrient profiles.”;

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 341

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 3 – point a – point ii
Regulation (EC) No 1924/2006
Article 4 – paragraph 1 – subparagraph 6

Text proposed by the Commission

"The Commission is empowered to adopt delegated acts in accordance with Article 24a concerning the update of nutrient profiles and their conditions of use to take into account relevant scientific developments. To this purpose, interested parties, in particular food business operators and consumer groups shall be consulted.";

Amendment

"The Commission is empowered to adopt delegated acts in accordance with Article 24a **to supplement this Regulation** concerning the update of nutrient profiles and their conditions of use to take into account relevant scientific developments. To this purpose, interested parties, in particular food business operators and consumer groups shall be consulted.";

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 342

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 3 – point b
Regulation (EC) No 1924/2006
Article 4 – paragraph 5

Text proposed by the Commission

“5. The Commission is empowered to adopt delegated acts in accordance with Article 24a concerning measures determining the foods or categories of foods other than those referred to in paragraph 3 of this Article for which nutrition or health claims are to be restricted or prohibited in the light of scientific evidence.”

Amendment

“5. The Commission is empowered to adopt delegated acts in accordance with Article 24a **to supplement this Regulation** concerning measures determining the foods or categories of foods other than those referred to in paragraph 3 of this Article for which nutrition or health claims are to be restricted or prohibited in the light of scientific evidence.”

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 343

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 5

Regulation (EC) No 1924/2006

Article 13 – paragraph 3

Text proposed by the Commission

“3. The Commission shall, ***after consulting the Authority***, adopt a Union list of permitted claims as referred to in paragraph 1 and all necessary conditions for the use of those claims by 31 January 2010 at the latest ***by means of implementing act. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 25(2).***”

Amendment

“3. ***After consulting the Authority***, the Commission ***shall adopt delegated acts in accordance with Article 24a to supplement this Regulation by establishing*** a Union list of permitted claims as referred to in paragraph 1 and all necessary conditions for the use of those claims by 31 January 2010 at the latest .”

Or. en

Justification

Amendment to align measures previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 344

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 5

Regulation (EC) No 1924/2006

Article 13 – paragraph 4

Text proposed by the Commission

4. The Commission shall, ***after consulting the Authority***, on ***the Commission's*** own initiative or following a request by a Member State adopt any changes to the list referred to in paragraph 3, based on generally accepted scientific evidence ***by means of implementing act. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 25(2).***

Amendment

4. ***After consulting the Authority***, the Commission shall ***adopt delegated acts in accordance with Article 24a***, on ***its*** own initiative or following a request by a Member State, ***to supplement this Regulation by adopting*** any changes to the list referred to in paragraph 3, based on generally accepted scientific evidence.

Justification

Amendment to align measures previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 345**Proposal for a regulation**

Annex I – Part XII – point 158 – paragraph 4 – point 6 – point a

Regulation (EC) No 1924/2006

Article 17 – paragraph 3 – subparagraph 1

Text proposed by the Commission

“The Commission ***shall*** adopt a final decision on the application by means of ***implementing act. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 25(2).***”

Amendment

“The Commission ***is empowered to*** adopt ***delegated acts in accordance with Article 24a to supplement this Regulation as regards its*** final decision on the application.”

Justification

Amendment to align measures previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 346**Proposal for a regulation**

Annex I – Part XII – point 158 – paragraph 4 – point 6 – point b

Regulation (EC) No 1924/2006

Article 17 – paragraph 3 – subparagraph 2 – point b

Text proposed by the Commission

“(b) before the expiry of the five-year period, if the claim still meets the conditions laid down in this Regulation, the Commission ***shall*** adopt measures for authorisation of the claim without restriction for use by means of ***implementing act. Those implementing***

Amendment

“(b) before the expiry of the five-year period, if the claim still meets the conditions laid down in this Regulation, the Commission ***is empowered to*** adopt ***delegated acts in accordance with Article 24a to supplement this Regulation by adopting*** measures for authorisation of the

acts shall be adopted in accordance with the procedure referred to in Article 25(2)."

claim without restriction for use."

Or. en

Justification

Amendment to align measures previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 347

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 7 – point a

Regulation (EC) No 1924/2006

Article 18 – paragraph 5 – subparagraph 1

Text proposed by the Commission

Where the Authority issues an opinion that does not support the inclusion of the claim in the list referred to in paragraph 4, the Commission shall adopt a decision on the application by means of implementing act. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 25(2).";

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 24a to supplement this Regulation as regards its decision on the application, where the Authority issues an opinion that does not support the inclusion of the claim in the list referred to in paragraph 4.

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 348

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 7 – point b

Regulation (EC) No 1924/2006

Article 18 – paragraph 5 – subparagraph 2 – point b

Text proposed by the Commission

Amendment

(b) before the expiry of the five-year period, if the claim still meets the conditions laid down in this Regulation, the Commission shall adopt measures for authorisation of the claim without restriction of use *by means of implementing act. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 25(2).*

(b) before the expiry of the five-year period, if the claim still meets the conditions laid down in this Regulation, the Commission ***shall adopt delegated acts in accordance with Article 24a to supplement this Regulation as regards authorisation of the claim without restriction of use.***

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 349

Proposal for a regulation

Annex I – Part XII – point 158 – paragraph 4 – point 8

Regulation (EC) No 1924/2006

Article 24 a

Text proposed by the Commission

"Article 24a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 1(2) and (4), Article 3, Article 4(1) and (5) ***and*** Article 8(2) shall be conferred on the Commission for an indeterminate period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

"Article 24a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 1(2) and (4), Article 3, Article 4(1) and (5), Article 8(2), ***Article 13(3) and (4), Article 17(3) and (4), Article 18(5), and point (a) of Article 28(6)*** shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament***

3. The delegation of power referred to in Article 1(2) and (4), Article 3, Article 4(1) and (5) **and** Article 8(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making **of 13 April 2016***.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 1(2) and (4), Article 3, Article 4(1) and (5) **and** Article 8(2) shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p. 1.";

or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in Article 1(2) and (4), Article 3, Article 4(1) and (5), Article 8(2), **Article 13(3) and (4), Article 17(3) and (4), Article 18(5) and point (a) of Article 28(6)** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement **of 13 April 2016** on Better Law-Making*.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 1(2) and (4), Article 3, Article 4(1) and (5), Article 8(2), **Article 13(3) and (4), Article 17(3) and (4), Article 18(5) and point (a) of Article 28(6)** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p. 1.";

Justification

Alignment of the duration of the empowerment and updating the references in line with previous amendments.

Amendment 350**Proposal for a regulation**

Annex I – Part XII – point 158 – paragraph 4 – point 10 – point b

Regulation (EC) No 1924/2006

Article 28 – paragraph 6 – point a – point ii

Text proposed by the Commission

“(ii) after consulting the Authority, the Commission shall, **by means of implementing act**, adopt **a decision** concerning the health claims authorised in this way. Those implementing acts shall be adopted in accordance with **the procedure referred to in Article 25(2).**”

Amendment

“(ii) after consulting the Authority, the Commission shall adopt **delegated acts in accordance with Article 24a to supplement this Regulation** by laying down the health claims authorised in this way.”

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 351**Proposal for a regulation**

Annex I – Part XII – point 159 – paragraph 1

Text proposed by the Commission

In order to achieve the objectives of Regulation (EC) No 1925/2006, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I and II to that Regulation to adapt it to technical and scientific progress and to amend Annex III to that Regulation to allow the

Amendment

In order to achieve the objectives of Regulation (EC) No 1925/2006, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I and II to that Regulation to adapt it to technical and scientific progress and to amend Annex III to that Regulation to allow the

use of vitamins, minerals and of certain other substances prohibited, restricted or under Union scrutiny **and** to supplement that Regulation by determining the additional foods or categories of foods to which vitamins and minerals may not be added, by determining the purity criteria for vitamin formulations and mineral substances and by determining the minimum amount by derogation from the significant amount for the presence of a vitamin or mineral in the food. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making **of 13 April 2016**. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

use of vitamins, minerals and of certain other substances prohibited, restricted or under Union scrutiny, to supplement that Regulation by determining the additional foods or categories of foods to which vitamins and minerals may not be added, by determining the purity criteria for vitamin formulations and mineral substances and by determining the minimum amount by derogation from the significant amount for the presence of a vitamin or mineral in the food, **as well as by setting the maximum amounts for the vitamins or minerals added to food and by defining the conditions restricting or prohibiting the addition of a specific vitamin or mineral.** It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement **of 13 April 2016** on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

Justification

In line with amendments to Articles aligning measures previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 352

Proposal for a regulation

Annex I – Part XII – point 159 – paragraph 2

Text proposed by the Commission

Amendment

In order to ensure uniform conditions for the implementation of Regulation (EC) No 1925/2006, implementing powers should be conferred on the Commission as regards the amounts of the vitamins or minerals added to food and as regards the conditions restricting or prohibiting the addition of a specific vitamin or mineral. Those powers should be exercised in accordance with Regulation (EU) No 182/2011. **deleted**

Or. en

Justification

In line with amendments to Articles aligning measures previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 353

Proposal for a regulation

Annex I – Part XII – point 159 – paragraph 3 – point 2

Regulation (EC) No 1925/2006

Article 4 – paragraph 2

Text proposed by the Commission

Amendment

“The Commission is empowered to adopt delegated acts in accordance with Article 13a concerning measures determining the additional foods or categories of foods to which vitamins and minerals may not be added in the light of scientific evidence and taking into account their nutritional value.”

“The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation** concerning measures determining the additional foods or categories of foods to which vitamins and minerals may not be added in the light of scientific evidence and taking into account their nutritional value.”

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 354

Proposal for a regulation

Annex I – Part XII – point 159 – paragraph 3 – point 3

Regulation (EC) No 1925/2006

Article 5 – paragraph 1

Text proposed by the Commission

“1. The Commission is empowered to adopt delegated acts in accordance with Article 13a concerning measures determining the purity criteria for vitamin formulations and mineral substances listed in Annex II, except where purity criteria apply pursuant to paragraph 2 of this Article.”

Amendment

“1. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation** concerning measures determining the purity criteria for vitamin formulations and mineral substances listed in Annex II, except where purity criteria apply pursuant to paragraph 2 of this Article.”

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 355

Proposal for a regulation

Annex I – Part XII – point 159 – paragraph 3 – point 4 – point a

Regulation (EC) No 1925/2006

Article 6 – paragraph 1

Text proposed by the Commission

1. When a vitamin or a mineral is added to foods, the total amount of the vitamin or mineral present, for whatever purpose, in the food as sold shall not exceed maximum amounts. The Commission shall **set** those amounts **by means of implementing act. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 14(2).** The Commission may, to this end submit a draft of measures for the maximum amounts by 19 January 2009.

Amendment

1. When a vitamin or a mineral is added to foods, the total amount of the vitamin or mineral present, for whatever purpose, in the food as sold shall not exceed maximum amounts. The Commission shall **adopt delegated acts in accordance with Article 13a to supplement this Regulation concerning** those **maximum** amounts. The Commission may, to this end submit a draft of measures for the maximum amounts by 19 January 2009. For

For concentrated and dehydrated products, the maximum amounts set shall be those present in the foods when prepared for consumption according to the manufacturer's instructions.

concentrated and dehydrated products, the maximum amounts set shall be those present in the foods when prepared for consumption according to the manufacturer's instructions.

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts, and clarification of empowerment (i.e. to supplement).

Amendment 356

Proposal for a regulation

Annex I – Part XII – point 159 – paragraph 3 – point 4 – point a

Regulation (EC) No 1925/2006

Article 6 – paragraph 2

Text proposed by the Commission

2. The Commission shall ***define*** any conditions restricting or prohibiting the addition of a specific vitamin or mineral to a food or a category of foods ***by means of implementing act. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 14(2).***

Amendment

2. The Commission shall ***adopt delegated acts in accordance with Article 13a to supplement this Regulation concerning the definition of*** any conditions restricting or prohibiting the addition of a specific vitamin or mineral to a food or a category of foods.

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 357

Proposal for a regulation

Annex I – Part XII – point 159 – paragraph 3 – point 4 – point b

Regulation (EC) No 1925/2006

Article 6 – paragraph 6

Text proposed by the Commission

“6. The addition of a vitamin or a mineral to a food shall result in the presence of that vitamin or mineral in the food in at least a significant amount where this is defined according to point 2 of Part A of Annex XIII to Regulation (EU) No 1169/2011. The Commission is empowered to adopt delegated acts in accordance with Article 13a concerning measures determining the minimum amounts of vitamin or mineral in the food, including any lower amounts by derogation from the significant amounts, for specific foods or categories of foods.”

Amendment

“6. The addition of a vitamin or a mineral to a food shall result in the presence of that vitamin or mineral in the food in at least a significant amount where this is defined according to point 2 of Part A of Annex XIII to Regulation (EU) No 1169/2011. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation**, concerning measures determining the minimum amounts of vitamin or mineral in the food, including any lower amounts by derogation from the significant amounts, for specific foods or categories of foods.”

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 358

Proposal for a regulation

Annex I – Part XII – point 159 – paragraph 3 – point 5

Regulation (EC) No 1925/2006

Article 7 – paragraph 1

Text proposed by the Commission

“1. The labelling, presentation and advertising of foods to which vitamins and minerals have been added shall not include any mention stating or implying that a balanced and varied diet cannot provide appropriate quantities of nutrients. The Commission is empowered to adopt delegated acts in accordance with Article 13a derogating from this rule as regards a specific nutrient.”

Amendment

“1. The labelling, presentation and advertising of foods to which vitamins and minerals have been added shall not include any mention stating or implying that a balanced and varied diet cannot provide appropriate quantities of nutrients. The Commission is empowered to adopt delegated acts in accordance with Article 13a **to supplement this Regulation by granting derogations** from this rule as regards a specific nutrient.”

Or. en

Clarification of empowerment (i.e. to supplement).

Amendment 359

Proposal for a regulation

Annex I – Part XII – point 159 – paragraph 3 – point 7

Regulation (EC) No 1925/2006

Article 13 a

Text proposed by the Commission

“Article 13a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt referred to in Article 3(3), Article 4, Article 5(1), Article **6(6)**, Article 7(1) and Article 8(2) and (5) shall be conferred on the Commission for an indeterminate period of *time* from [date of entry into force of this *Omnibus*].

3. The delegation of power referred to in Article 3(3), Article 4, Article 5(1), Article **6(6)**, Article 7(1) and Article 8(2) and (5) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in *the Official Journal of the European Union* or at a later date specified therein. It shall

Amendment

“Article 13a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt referred to in Article 3(3), Article 4, Article 5(1), Article **6(1), (2) and (6)**, Article 7(1) and Article 8(2) and (5) shall be conferred on the Commission for an indeterminate period of time *of five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

3. The delegation of power referred to in Article 3(3), Article 4, Article 5(1), Article **6(1), (2) and (6)**, Article 7(1) and Article 8(2) and (5) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in *the Official Journal of the European Union* or at a later date specified

not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the *Inter-Institutional* Agreement on Better Law-Making *of 13 April 2016**.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 3(3), Article 4, Article 5(1), Article **6(6)**, Article 7(1) and Article 8(2) and (5) shall enter into force only if no objection has been expressed either by the European Parliament or *by* the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p.1.";

therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the *Interinstitutional* Agreement *of 13 April 2016* on Better Law-Making *.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 3(3), Article 4, Article 5(1), **Article 6(1), (2) and (6)**, Article 7(1) and Article 8(2) and (5) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p.1.";

Or. en

Justification

Alignment of the duration of the empowerment and updating the references in line with previous amendments.

Amendment 360

Proposal for a regulation

Annex I – Part XII – point 160 – paragraph 2 – point 2

Regulation (EC) No 1394/2007

Article 25 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 24 shall be conferred **to** the Commission for ***an indeterminate*** period from [date of entry into force of this ***omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 24 shall be conferred **on** the Commission for **a** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 361

Proposal for a regulation

Annex I – Part XII – point 161 – paragraph 2 – point 3

Directive 2009/32/EC

Article 5 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4 and Article 5(3) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from the [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 4 and Article 5(3) shall be conferred on the Commission for **a** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council***

opposes such extension not later than three months before the end of each period.

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 362

Proposal for a regulation

Annex I – Part XII – point 162 – paragraph 2 – point 2

Directive 2009/41/EC

Article 19 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 19 shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 19 shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 363

Proposal for a regulation

Annex I – Part XII – point 163 – paragraph 3 – point 5

Directive 2009/54/EC

Article 13 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 4(1), Article 9(4), Article 11(4) and Article 12, shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

2. The power to adopt delegated acts referred to in Article 4(1), Article 9(4), Article 11(4) and Article 12, shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 364

Proposal for a regulation

Annex I – Part XII – point 164 – paragraph 2 – point 5

Directive 2009/128/EC

Article 20 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 5(3), Article 8(7), Article 14(4) and Article 15(1) shall be

Amendment

2. The power to adopt delegated acts referred to in Article 5(3), Article 8(7), Article 14(4) and Article 15(1) shall be

conferred on the Commission for *an indeterminate* period of *time* from *the* [date of entry into force of this *Omnibus*].

conferred on the Commission for *a* period of *five years* from ... [date of entry into force of this *amending Regulation*]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 365

Proposal for a regulation

Annex I – Part XII – point 164 – paragraph 2 – point 5 a (new)

Directive 2009/128/EC

Article 21 – paragraph 2

Text proposed by the Commission

Amendment

(5a) in Article 21, paragraph 2 is deleted.

Or. en

Justification

This amendment deletes the paragraph referring to the Regulatory Procedure of Scrutiny in Article 21 of Directive 2009/128/EC (which by an oversight was not deleted in the proposal by the Commission).

Amendment 366

Proposal for a regulation

Annex I – Part XII – point 165 – paragraph 1

Text proposed by the Commission

In order to achieve the objectives of Regulation (EC) No 470/2009, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to **supplementing** that Regulation with scientific methods for establishing reference points for action, rules on actions in case of confirmed presence of a prohibited non-authorised substance, as well as the methodological principles for the risk assessment and risk management recommendations and rules on the use of a maximum residue limit established for a pharmacologically active substance in a particular foodstuff for another foodstuff derived from the same species, or a maximum residue limit established for a pharmacologically active substance in one or more species for other species. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making **of 13 April 2016**. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment

In order to achieve the objectives of Regulation (EC) No 470/2009, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to **supplement** that Regulation with scientific methods for establishing reference points for action, **reference points for action for residues from pharmacologically active substances**, rules on actions in case of confirmed presence of a prohibited non-authorised substance, as well as the methodological principles for the risk assessment and risk management recommendations and rules on the use of a maximum residue limit established for a pharmacologically active substance in a particular foodstuff for another foodstuff derived from the same species, or a maximum residue limit established for a pharmacologically active substance in one or more species for other species. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement **of 13 April 2016** on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

Justification

In line with amendments to Articles aligning measures previously submitted under Regulatory

Amendment 367

Proposal for a regulation

Annex I – Part XII – point 165 – paragraph 2

Text proposed by the Commission

Amendment

In order to ensure uniform conditions for the implementation of the relevant provisions of Regulation (EC) No 470/2009, implementing powers should be conferred on the Commission concerning reference points for action for residues from pharmacologically active substances. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

deleted

Or. en

Justification

In line with amendments to Articles aligning measures previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 368

Proposal for a regulation

Annex I – Part XII – point 165 – paragraph 3 – point 1

Regulation (EC) No 470/2009

Article 13 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. The Commission is empowered to adopt delegated acts, in accordance with Article 24a, concerning the adoption of:

2. The Commission is empowered to adopt delegated acts, in accordance with Article 24a, ***to supplement this Regulation*** concerning the adoption of:

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 369

Proposal for a regulation

Annex I – Part XII – point 165 – paragraph 3 – point 2

Regulation (EC) No 470/2009

Article 18

Text proposed by the Commission

When it is deemed necessary in order to ensure the functioning of controls of food of animal origin imported or placed on the market in accordance with Regulation (EC) No 882/2004, the Commission ***may establish, by means of implementing act,*** reference points for action for residues from pharmacologically active substances which are not subject to a classification in accordance with Article 14(2)(a), (b) or (c). ***Those implementing acts shall be adopted in accordance with the procedure referred to in Article 26(2).***

The reference points for action shall be reviewed regularly in the light of new scientific data relating to food safety, the outcome of the investigations and analytical tests referred to in Article 24 and technological progress.

On duly justified imperative grounds of urgency relating to the protection of human health, the Commission may adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 26 (2a).";

Amendment

When it is deemed necessary in order to ensure the functioning of controls of food of animal origin imported or placed on the market in accordance with Regulation (EC) No 882/2004, the Commission ***is empowered to adopt delegated acts in accordance with Article 24a to supplement this Regulation by establishing*** reference points for action for residues from pharmacologically active substances which are not subject to a classification in accordance with Article 14(2)(a), (b) or (c).

The reference points for action shall be reviewed regularly in the light of new scientific data relating to food safety, the outcome of the investigations and analytical tests referred to in Article 24 and technological progress.

Where, in the case of risk to human health, imperative grounds of urgency so require, the procedure provided for in Article 24b shall apply to delegated acts adopted pursuant to this Article.";

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts, including with respect to the urgency procedure.

Amendment 370

Proposal for a regulation

Annex I – Part XII – point 165 – paragraph 3 – point 3

Regulation (EC) No 470/2009

Article 19 – paragraph 3 – subparagraph 2

Text proposed by the Commission

“The Commission is empowered to adopt delegated **act**, in accordance with Article 24a, concerning the **methological** principles and scientific methods for establishing reference **point** for action.”

Amendment

“The Commission is empowered to adopt delegated **acts**, in accordance with Article 24a, **to supplement this Regulation**, concerning the **methodological** principles and scientific methods for establishing reference **points** for action.”

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 371

Proposal for a regulation

Annex I – Part XII – point 165 – paragraph 3 – point 4

Regulation (EC) No 470/2009

Article 24 – paragraph 4

Text proposed by the Commission

“4. The Commission is empowered to adopt delegated **act**, in accordance with Article 24a, concerning the application of this Article.”

Amendment

“4. The Commission is empowered to adopt delegated **acts**, in accordance with Article 24a, **to supplement this Regulation** concerning the application of this Article.”

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 372

Proposal for a regulation

Annex I – Part XII – point 165 – paragraph 3 – point 5 – introductory sentence

Text proposed by the Commission

(5) the following **Article 24a** *is* inserted under Title V:

Amendment

(5) the following **Articles 24a and 24b** *are* inserted under Title V:

Or. en

Justification

Insertion of a reference to Article 24b (new) in line with the other relevant amendments to Regulation (EC) No 470/2009.

Amendment 373

Proposal for a regulation

Annex I – Part XII – point 165 – paragraph 3 – point 5

Regulation (EC) No 470/2009

Article 24 a

Text proposed by the Commission

“Article 24a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 13(2), Article 19(3) and Article 24(4) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from [date of entry into force of this ***Omnibus***].

Amendment

“Article 24a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 13(2), ***Article 18***, Article 19(3) and Article 24(4) shall be conferred on the Commission for ***a*** period of ***five years*** from ... [date of entry into force of this ***amending Regulation***]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council***

3. The delegation of power referred to in Article 13(2), Article 19(3) and Article 24(4) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016**.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 13(2), Article 19(3) and Article 24(4) shall enter into force only if no objection has been expressed either by the European Parliament or *by* the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p.1.”

opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in Article 13(2), **Article 18**, Article 19(3) and Article 24(4) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making*.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 13(2), **Article 18**, Article 19(3) and Article 24(4) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p.1.”

Or. en

Justification

Alignment of the duration of the empowerment and updating the references in line with previous amendments.

Amendment 374

Proposal for a regulation

Annex I – Part XII – point 165 – paragraph 3 – point 5

Regulation (EC) No 470/2009

Article 24 b (new)

Text proposed by the Commission

Amendment

Article 24b

Urgency procedure

1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2.

2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.

2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 24a (6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.

Or. en

Justification

Adding a new article, Article 24b, was necessary in line with the amendment to Article 18, third subparagraph, of Directive 2009/128/EC, where the urgency procedure for implementing acts is aligned to delegated acts.

Amendment 375

Proposal for a regulation

Annex I – Part XII – point 166 – paragraph 1

Text proposed by the Commission

In order to achieve the objectives of Regulation (EC) No 767/2009, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Regulation in order to adapt them to technical progress and to supplement that Regulation with a list of categories of feed materials. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016*. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment

In order to achieve the objectives of Regulation (EC) No 767/2009, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Regulation in order to adapt them to technical progress, ***update the list of intended uses, and set the maximum content of chemical impurities as referred to in point 1 of Annex I***, and ***also*** to supplement that Regulation with a list of categories of feed materials ***and by providing clarification as to whether a certain product constitutes feed***. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

Amendment 376

Proposal for a regulation

Annex I – Part XII – point 166 – paragraph 2

Text proposed by the Commission

In order to ensure uniform conditions for the implementation of Regulation (EC) No 767/2009, implementing powers

Amendment

deleted

should be conferred on the Commission in order to clarify whether a certain product constitutes feed, updating the list of intended uses and setting the maximum content of chemical impurities. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Or. en

Amendment 377

Proposal for a regulation

Annex I – Part XII – point 166 – paragraph 3 – point 2

Regulation (EC) No 767/2009

Article 7 – paragraph 2

Text proposed by the Commission

“2. The Commission *may* adopt **implementing** acts in order to clarify whether a certain product constitutes feed for the purposes of this Regulation. **Those implementing acts shall be adopted in accordance with the procedure referred to in Article 28(3).**”

Amendment

“2. The Commission **is empowered to** adopt **delegated** acts in **accordance with Article 27a supplementing this Regulation** in order to clarify whether a certain product constitutes feed for the purposes of this Regulation.”

Or. en

Amendment 378

Proposal for a regulation

Annex I – Part XII – point 166 – paragraph 3 – point 3

Regulation (EC) No 767/2009

Article 10 – paragraph 5

Text proposed by the Commission

“5. Within six months of receipt of a valid application or, where appropriate, after receiving the opinion of the Authority, the Commission shall adopt **implementing** acts updating the list of intended uses if the conditions laid down in paragraph 2 are met. Those **implementing**

Amendment

“5. Within six months of receipt of a valid application or, where appropriate, after receiving the opinion of the Authority, the Commission shall adopt **delegated** acts **in accordance with Article 27a supplementing this Regulation** by updating the list of intended uses if the

acts shall be adopted in accordance with the procedure referred to in Article **28(3)**.”

conditions laid down in paragraph 2 are met. Those **delegated** acts shall be adopted in accordance with the procedure referred to in Article **27a**.”

Or. en

Amendment 379

Proposal for a regulation

Annex I – Part XII – point 166 – paragraph 3 – point 6

Regulation (EC) No 767/2009

Article 26 – paragraph 3

Text proposed by the Commission

“3. **Amendments to** the Community Catalogue setting the maximum content of chemical impurities as referred to in point 1 of Annex I or levels of botanical purity as referred to in point 2 of Annex I or levels of moisture content as referred to in point 6 of Annex I or particulars replacing the compulsory declaration as referred to in Article 16(1)(b), **shall be adopted by means of implementing act. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 28(3).**”

Amendment

“3. **The Commission is empowered to adopt delegated acts in accordance with Article 27a in order to amend** the Community Catalogue setting the maximum content of chemical impurities as referred to in point 1 of Annex I or levels of botanical purity as referred to in point 2 of Annex I or levels of moisture content as referred to in point 6 of Annex I or particulars replacing the compulsory declaration as referred to in Article 16(1)(b).”

Or. en

Amendment 380

Proposal for a regulation

Annex I – Part XII – point 166 – paragraph 3 – point 8

Regulation (EC) No 767/2009

Article 27 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6(2), Article 17(4), Article 20(2) and Article 27(1) shall be conferred on the Commission for **an**

Amendment

2. The power to adopt delegated acts referred to in Article 6(2), Article 17(4), Article 20(2) and Article 27(1) shall be conferred on the Commission for **a** period

indeterminate period of *time* from [date of entry into force of this **Omnibus**].

of *five years* from ... [date of entry into force of this **amending Regulation**]. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

Justification

Alignment of the duration of the empowerment to Parliament's general approach (see resolution of 25 February 2014, paragraph 9).

Amendment 381

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 14

Regulation (EC) No 1069/2009

Article 40 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission is empowered to adopt delegated acts in accordance with Article 51a concerning the conditions for:

Amendment

1. The Commission is empowered to adopt delegated acts in accordance with Article 51a, **to supplement this Regulation**, concerning the conditions for:

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 382

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 14

Text proposed by the Commission

Amendment

2. The Commission ***shall*** adopt ***implementing*** acts concerning the following:

2. The Commission ***is empowered to*** adopt ***delegated*** acts ***in accordance with Article 51a, to amend this Regulation,*** concerning the following:

Or. en

Justification

Clarification of empowerment (i.e. to amend).

Amendment 383

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 14

Regulation (EC) No 1069/2009

Article 40 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

Those implementing acts shall be adopted in accordance with the procedure referred to in Article 52(3).

deleted

Or. en

Amendment 384

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 15 – point a

Regulation (EC) No 1069/2009

Article 41 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

“The Commission shall adopt implementing acts laying down the conditions referred to in point (b) of the first subparagraph. Those implementing

“The Commission is empowered to adopt delegated acts in accordance with Article 51a to supplement this Regulation by laying down the conditions referred to in

acts shall be adopted in accordance with the procedure referred to in Article 52(3).";

point (b) of the first subparagraph."

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 385

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 15 – point b

Regulation (EC) No 1069/2009

Article 41 – paragraph 3 – subparagraph 3

Text proposed by the Commission

Amendment

*“The Commission **shall** adopt **implementing acts laying down the requirements provided for in the first subparagraph. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 52(3).**”*

*“The Commission **is empowered to** adopt **delegated acts in accordance with Article 51a to supplement this Regulation by laying down the requirements provided for in the first subparagraph.**”*

Or. en

Justification

Amendment to align a measure previously submitted under Regulatory Procedure with Scrutiny to delegated acts.

Amendment 386

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 16 – point b

Regulation (EC) No 1069/2009

Article 42 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. The Commission is empowered to

2. The Commission is empowered to

adopt delegated acts in accordance with Article 51a **laying** down the following:

adopt delegated acts in accordance with Article 51a, **to supplement this Regulation, by laying** down the following:

Or. en

Justification

Clarification of empowerment (i.e. to supplement).

Amendment 387

Proposal for a regulation

Annex I – Part XII – point 167 – paragraph 4 – point 20

Regulation (EC) No 1069/2009

Article 51 a

Text proposed by the Commission

“Article 51a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The delegation of power referred to in Article 5(1) and (2), Article 6(1), and (2), Article 7(4), Article 11(2), Article 15(1), Article 17(2), Article 18(3), Article 19(4), Article 20(11), Article 21(6), Article 27, Article 31(2), Article 32(3), Article 40(1), the first subparagraph of Article 42(2), Article 43(3), the first subparagraph of **paragraph 7 and paragraph 8 of Article 48**, shall be conferred on the Commission for **an indeterminate** period of [date of entry into force of this **Omnibus**].

Amendment

“Article 51a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The delegation of power referred to in Article 5(1) and (2), Article 6(1) and (2), Article 7(4), Article 11(2), Article 15(1), Article 17(2), Article 18(3), Article 19(4), Article 20(11), Article 21(6), Article 27, Article 31(2), Article 32(3), Article 40(1) **and (2), the second subparagraph of Article 41(1), the third subparagraph of Article 41(3), the first subparagraph of Article 42(2), Article 43(3), Article 45(4), the first subparagraph of Article 48(7) and Article 48(8)** shall be conferred on the Commission for **a** period of **five years from ...** [date of entry into force of this **amending Regulation**]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament**

3. The delegation of power referred to in Article 5(1) and (2), Article 6(1), and (2), Article 7(4), Article 11(2), Article 15(1), Article 17(2), Article 18(3), Article 19(4), Article 20(11), Article 21(6), Article 27, Article 31(2), Article 32(3), Article 40(1), the first subparagraph of Article 42(2), Article 43(3), the first subparagraph of **paragraph 7 and paragraph 8 of Article 48** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making **of 13 April 2016***.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 5(1) and (2), Article 6(1), and (2), Article 7(4), Article 11(2), Article 15(1), Article 17(2), Article 18(3), Article 19(4), Article 20(11), Article 21(6), Article 27, Article 31(2), Article 32(3), Article 40(1), the first subparagraph of Article 42(2), Article 43(3), the first subparagraph of paragraph 7 and paragraph 8 of Article 48 shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of two months of notification of that

or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in Article 5(1) and (2), Article 6(1) and (2), Article 7(4), Article 11(2), Article 15(1), Article 17(2), Article 18(3), Article 19(4), Article 20(11), Article 21(6), Article 27, Article 31(2), Article 32(3), Article 40(1) **and (2), the second subparagraph of Article 41(1), the third subparagraph of Article 41(3),** the first subparagraph of Article 42(2), Article 43(3), **Article 45(4),** the first subparagraph of **Article 48(7) and Article 48(8)** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement **of 13 April 2016** on Better Law-Makin *.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 5(1) and (2), Article 6(1) and (2), Article 7(4), Article 11(2), Article 15(1), Article 17(2), Article 18(3), Article 19(4), Article 20(11), Article 21(6), Article 27, Article 31(2), Article 32(3), Article 40(1) **and (2), the second subparagraph of Article 41(1), the third subparagraph of Article 41(3),** the first subparagraph of Article 42(2), Article 43(3), **Article 45(4),** the first subparagraph of **Article 48(7) and Article 48(8)** shall enter into force only if no objection has been expressed either by

act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p.1.";

the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

* OJ L 123, 12.5.2016, p.1.";

Or. en

Justification

Alignment of the duration of the empowerment and updating the references in line with previous amendments.

EXPLANATORY STATEMENT

Background

Article 5a of Decision 1999/468/EC¹, as amended by Council Decision 2006/512/EC², ("the Comitology Decision"), established the so-called regulatory procedure with scrutiny (RPS).

With the entry into force of the Treaty of Lisbon on 1st December 2009 and in light of the subsequent new legal framework for sub-secondary legislation established by Articles 290 and 291 TFEU, the Comitology Decision had to be revised. However, Regulation 182/2011³ ("the Comitology Regulation"), which was adopted for this purpose on the basis of Article 291(3) TFEU, intentionally left Article 5a of the Comitology Decision out of its scope. Article 5a establishing the RPS had therefore to be provisionally maintained for the purposes of existing basic acts referring to that Article. On the other hand, the *acquis* in question has to be aligned as soon as possible to the Treaty of Lisbon in order to ensure legal certainty.

In 2013, the Commission proposed to complete the alignment with three extensive proposals (so-called Omnibus proposals), which Parliament adopted in first reading in February 2014⁴. However, the proposals were withdrawn by the new Commission following the European elections. The new Inter-institutional Agreement on Better Law-making (IIA) of 13 April 2016⁵ addressed this question in paragraph 27. This provision reads as follows:

"The three Institutions [i.e. the European Parliament, the Council and the Commission] acknowledge the need for the alignment of all existing legislation to the legal framework introduced by the Lisbon Treaty, and in particular the need to give high priority to the prompt alignment of all basic acts which still refer to the regulatory procedure with scrutiny. The Commission will propose that latter alignment by the end of 2016".

Following the entry into force of the IIA and in light of the obligations stemming therefrom, the Commission presented two new proposals for alignment in December 2016, one focusing on legislative files in the area of justice and one focusing on the remaining policy areas⁶. The two proposals cover 3 and 168 basic acts, respectively.

Contrary to the 2013 proposals, which generally provided that the references to the RPS contained in the basic acts were to be read as references to Articles 290 or 291 TFEU, respectively, the current proposals aim at amending the basic acts in question individually.

Your rapporteur's approach to the present proposal

Delegated and implementing acts are an important part of the core competences of the Committee on Legal Affairs (JURI) as regards the interpretation, application and monitoring of Union law, the compliance of Union acts with primary law, better law-making and the

¹ OJ L 184, 17.7.1999, p. 23.

² OJ L 200, 22.7.2006, p. 11.

³ OJ L 55, 28.2.2011, p. 13.

⁴ See procedures 2013/218(COD), 2013/220(COD) and 2013/0365(COD).

⁵ OJ L 123, 12.5.2016, p. 1.

⁶ See procedures 2016/0399(COD) and 2016/0400(COD) respectively.

simplification of Union law, as provided in Annex V to the Rules of Procedure. JURI has furthermore been highly active in this area since the entry into force of the Treaty of Lisbon in 2009 and well before, when the then regulatory procedure with scrutiny was first introduced in 2006.

During the two previous alignment exercises – in 2008-2009 and 2013-2014, respectively – a specific working method was agreed at the level of the Conference of Committee Chairs (CCC). The same arrangements have been agreed in respect of the current exercise. Under such procedure, the opinion-giving committees have themselves decided how to elaborate their opinions internally and what form those opinions would take, and JURI has undertaken to take all the opinions on board in their entirety in its report. As already announced in his working document¹, your rapporteur is in favour of the approach in question and stresses the coordinating role the JURI can play in this respect.

In general terms, your rapporteur welcomes the present proposal and shares the Commission's choice to update many existing cases of RPS to delegated acts. On the other hand, the Commission would still prefer to have implementing acts in some instances. The rapporteur and the sectoral committees consulted object to those cases of alignment with implementing acts where they consider that the Commission proposal lacks a detailed and specific justification. These procedures should be aligned to delegated acts. Indeed, in the context of a post-Lisbon alignment, measures which may be covered by delegated acts correspond in principle to those covered by RPS and should not, therefore, be aligned to implementing acts².

The rapporteur wishes to raise important horizontal issues such as the wording of the empowements (which has to be as precise as possible and in line with the recent case law³) and the duration of the delegation of powers (which should not exceed 5 years and should be accompanied by a reporting obligation on the Commission). The Commission proposal should be amended accordingly.

Last but not least, your rapporteur would like to recall paragraph 31 of the IIA, which enables the Commission to bundle two or more empowements. However, he stresses that the Commission's choice to bundle empowements must be as transparent and accountable as possible and that abuses are to be avoided.

¹ PE606.188v01-00.

² In its resolution of 25 February 2014 on follow-up on the delegation of legislative powers and control by Member States of the Commission's exercise of implementing powers (2012/2323(INI)), among other things Parliament considers that "at least all cases previously dealt with under RPS should now be aligned to Article 290 TFEU" (para. 6).

³ Judgment of the Court of Justice of 17 March 2016, *European Parliament v European Commission*, C-286/14, ECLI:EU:C:2016:183.