

## AMENDMENT FORM

### Suggestion for amendment of Article 27:

By Mrs Lena Hjelm-Wallén and Mr Sven-Olof Petersson, government representatives and Mr Sören Lekberg, Mr Göran Lennmarker, Mr Kenneth Kvist and Mr Ingvar Svensson, national parliament representatives.

Status : - Member: Hjelm-Wallén, Lekberg and Lennmarker  
- Alternate: Petersson, Kvist and Svensson

---

### Article 27: Delegated regulations

1. ~~European EU laws and European EU framework laws~~<sup>1</sup> may delegate to the Commission the power to enact delegated regulations in order to supplement ~~or amend~~<sup>2</sup> certain ~~non-essential~~<sup>3</sup> elements of the law or framework law.  
  
The objectives, content, scope and duration of the delegation shall be explicitly defined in the laws and framework laws. ~~A delegation may not cover the essential elements of an area. These~~ **The essential elements of an area**<sup>12</sup> shall be reserved for the law or framework law.
2. **The European Parliament or the Council may always decide to revoke the delegation.**<sup>4</sup> The other conditions of application to which the delegation is subject shall be explicitly determined in the law or framework law; they shall consist of one or **both** ~~more~~ of the following possibilities:
  - ~~the European Parliament and the Council, may decide to revoke the delegation;~~
  - the delegated regulation may enter into force only if no objection has been expressed by the European Parliament or the Council within a period set by the law or framework law;
  - the provisions of the delegated regulation are to lapse after a period set by the law or framework law. They may be extended, on a proposal from the Commission, by decision of the European Parliament and of the Council.

For the purposes of the preceding paragraph, the European Parliament shall act by a majority of its members, and the Council by a qualified majority.<sup>5</sup>

---

<sup>1</sup> The possibility to delegate the power to adopt 'EU directives' could be useful. If a framework law has been implemented in national legislation and the Commission adopts a delegated regulation, the effect on the national provisions could be that it becomes difficult to get an overview of the entire legislation. An example could be that a definition in the framework law is adjusted by a delegated regulation.

<sup>2</sup> The Commission should only be authorised to supplement EU laws and EU framework laws.

<sup>3</sup> Deletion in order to avoid unnecessary repetition.

<sup>4</sup> Delegation is a normal feature in any political system. However, it must always be possible for the legislator to revoke the delegation. It should not be necessary to make a specific decision every time a legal act is adopted.

<sup>5</sup> The European Parliament and the Council should each have the right to revoke. When the delegation is revoked, the legislators may take legislative measures.