

AMENDMENT FORM

Suggestion for amendment of Article 27:

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on behalf of the EPP Convention Group

Status: Members and Alternates

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<u>Article 27: Delegated regulations</u>	<u>Article 27: Delegated regulations</u>
<p>1. European laws and European framework laws may delegate to the Commission the power to enact delegated regulations in order to supplement or amend certain non-essential elements of the law or framework law.</p> <p>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 shall be reserved for the law or framework law.</p>	<p>1. European laws and European framework laws may delegate to the Commission the power to enact delegated regulations in order to supplement or amend certain non-essential elements of the law or framework law.</p> <p>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 shall be reserved for the law or framework law.</p>
<p>2. The 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 more of the following possibilities:</p> <ul style="list-style-type: none">– 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;	<p>2. The 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 more of the following possibilities:</p> <ul style="list-style-type: none">– the European Parliament and or 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.

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3. *For the preparation of delegated regulations, specific consultation procedures may be required, but shall in no way prejudice paragraph 1 and 2.*

Explanation:

Para 2:

- *The “call back” procedure should allow both institutions (Parliament and Council) to revoke a delegation individually. Otherwise, their control is not efficient; Parliament and Council would risk to block each other.*

Para 3:

- *The delegation procedure should allow for a more democratic and transparent process of decision-making in the Union. It must replace the current non-transparent “Comitology”-procedures (which in the draft articles of the Praesidium is still foreseen in Article 28 para 3). However, the possibility to consult national authorities and involve their expertise should be maintained, but shall not prejudice the rules on decision-making within the context of delegated legislation.*