

AMENDMENT FORM

Suggestion for amendment of **Article 28: Implementing acts**

By Mr Dick Roche

Status : - Member

Article 28: Implementing acts

1. Member States shall adopt all measures of national law necessary to implement the Union's legally binding acts.
2. Where uniform conditions for the implementation of the Union's binding acts are needed, those acts may confer implementing powers on the Commission or in specific cases and in the cases provided for in Article [CFSP], on the Council.
3. Implementing acts of the Union may be subject to control mechanisms which shall be consonant with principles and rules laid down in advance by the ~~European Parliament and the Council in accordance with the legislative procedure~~ **acting unanimously on a proposal from the Commission and after obtaining the opinion of the European Parliament.**
4. Implementing acts of the Union shall take the form of European implementing regulations or European implementing decisions.

Explanation (if any) :

As the Praesidium commentary makes clear, the current arrangements under Article 202 require unanimity in the Council with consultation with the European Parliament. The Working Group did not recommend any change.

Any change to the procedures for monitoring implementing acts would require close and careful study, in particular were it to be proposed that the call-back procedure under the regulatory committee procedure be abolished.