



THE SENATE
OF THE PARLIAMENT OF THE CZECH REPUBLIC
10TH TERM

235th

RESOLUTION OF THE SENATE

delivered on the 12th meeting held on 23rd September 2015

on the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions

Better regulation for better results - An EU agenda (Senate Print no. K 021/10)

and

on the Communication from the Commission to the European Parliament and the Council - Proposal for an Interinstitutional Agreement on Better Regulation (Senate Print no. K 022/10)

The Senate

I.

1. Welcomes

the focus of Commission's legislative policy on selected priorities only that should lead to concentrating on quality instead of quantity;

2. Is of the opinion

that the main principle of the Better Regulation package should lie in preferring the quality of EU law and transparency of the legislative procedure over the speed of legislation;

II.

1. Considers it advisable

that whenever amendments put forward by the Council or the European Parliament necessitate a new impact assessment of the proposed legislation, the Commission should point it out and the Commission itself should undertake the new impact assessment;

2. Expresses doubts

about the appropriateness of the ever more frequent use of “informal trialogues” between representatives of the Commission, the European Parliament and the Council because that institute is not foreseen in the rules of the legislative procedure according to the Treaty on the Functioning of the European Union; the speeding-up of the legislative procedure facilitated by trialogues cannot be the sole objective, especially given the limited transparency and control of these negotiations;

3. Points out repeatedly

that a substantive regulation of the given topic in the legislative act itself is always to be preferred over the adoption of delegated acts of general application by the Commission because the legislative act is adopted in a more transparent way in the Council and in the European Parliament; too numerous, broad and vague delegations to the Commission make it significantly more difficult for the Council, the European Parliament and the national parliaments to make a comprehensive evaluation of the content of draft legislative acts;

4. Is convinced

that a broader involvement of experts from national administrations in the drafting of delegated and implementing acts would contribute to the quality of regulation regarding both the substance and the legislative technique and would prevent the occurrence of differences between various language versions of those acts;

5. Calls upon the Commission

to concentrate on a more thorough justification of the compliance of its proposals with the principles of subsidiarity and proportionality, as early as when analysing possible options of regulation, and to respond to the national parliaments’ reasoned opinions in a more timely and elaborate manner;

III.

1. Requests

the Government to inform the Senate about the way this position was taken into account, and about further initiatives related to these communications;

2. Authorises

the President of the Senate to forward this Resolution to the European Commission.

Milan Štěch
sign manual
President of the Senate

Jozef Regec
sign manual
Senate Verifier