



## EUROPEAN COMMISSION

Brussels, 22.10.2012  
C(2012) 7405 final

*Dear President,*

*The Commission would like to thank the Sénat for its Opinion regarding the Commission's proposal for a Regulation of the European Parliament and of the Council amending Directives 1999/4/EC, 2000/36/EC, 2001/111/EC, 2001/113/EC and 2001/114/EC as regards the powers to be conferred on the Commission {COM(2012) 150 final} and apologises for the delay in replying.*

*The Commission takes due note of the Senate's opinion referring to the lack of sufficient detailed statements and explanations as regards the principles of subsidiarity and proportionality. Let me reassure you that the Commission fully recognises that the subsidiarity justification, generally developed in the impact assessments of its proposals, is reflected also in the explanatory memorandum, and we are committed to ensure that this is done regularly. However, as regards this specific case, let me provide some clarifications:*

*The Commission would like to underline that this proposal consists of amending the existing provisions of above-mentioned Directives which pertain to the powers conferred upon the Commission in order to align them with the new classification of Commission powers into delegated and implementing acts pursuant to Articles 290 and 291 of the Treaty on the Functioning of the European Union (TFEU). It furthermore also confers additional delegated powers on the Commission in order to harmonise the exercise of the Commission's powers among these directives. Such an alignment and harmonisation concern only delegated powers.*

*Therefore, the objective of the proposal is exclusively the alignment and the consistency, among the above mentioned directives, of delegated powers conferred on the Commission.*

*Yours faithfully,*

*Maroš Šefčovič  
Vice-President*

*M. Jean-Pierre BEL  
Président du Sénat  
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