

**Annual Report 2014 on subsidiarity and proportionality  
(COM(2015)315)**

**FINAL DOCUMENT**

The Committee on EU Policies of Italy's Chamber of Deputies,

having examined the 2014 Annual Report on Subsidiarity and Proportionality (COM(2015)315);

taking into account the considerations and findings of the 2014 Annual Report on Relations between the European Commission and National Parliaments (COM(2015)316);

taking also into account the debate among European institutions, the better regulation drive of the new Juncker Commission and the more specific initiatives of European Commission Vice President Frans Timmermans, who holds the portfolio for Inter-Institutional Relations;

having regard to the opinion of the Committee on Constitutional Affairs of the European Parliament (2015/2283(INI));

whereas:

- only 21 of the 506 submissions from National Parliaments to the Commission in 2014 consisted of reasoned opinions issued in connection with the early warning system for the protection of the principle of subsidiarity, a decline of 76% compared with 2013 (88). This small number is proof that most parliaments have no intention of using the early warning system to stymie European decision-making, preferring, rather, to discuss the specific merits of European policy decisions and regulations;
- in light of the above, and also for the sake of determining compliance with subsidiarity principles, information exchange and evaluation tools such as IPEX need to be used effectively and developed further, as advocated by the European Parliament;
- commendation is due to European institutions for their efforts to improve the methods and criteria for evaluating compliance with the principles of subsidiarity and proportionality in a way that makes it possible for National Parliaments to carry out, within the reduced timeframe of eight weeks, adequate controls of legislative proposals presented to them in the context of the early warning system;
- we also welcome the Commission's intention to act in accordance with Article 5 of Protocol 2 of the Treaty on the Functioning of the European Union (TFEU) and provide a more detailed and exhaustive statement of reasons concerning subsidiarity and proportionality in its proposals, and hope that both Parliament and the Council will provide similar reasoned arguments for any amendments that they may adopt;

- the Committee of the Regions has also paid particular attention to subsidiarity checks. The Committee – as noted in the Report in question – adopted its second work programme on subsidiarity and focused on specific initiatives included in the Work Programme of the European Commission, notably on the use of delegated acts;
- on 15 December 2015, in the wake of the European Commission's adoption on 19 May 2015 of the "Better Regulation" Agenda, which, among other things, seeks to revise as appropriate the Inter-Institutional Agreement of 2003 that had been rendered incompatible with the new regulatory and political environment by the coming into force of the Treaty of Lisbon and changes in ordinary legislative procedure, particularly as regards the role of National Parliaments, the Council approved an agreement to improve the regulations upon which the European Parliament and the Commission have concurred;

recognising that the present final document must be transmitted to the European Parliament and the European Commission as part of the political dialogue;

does hereby express:

#### A FAVOURABLE OPINION

*with the following remarks:*

- a) the European Commission must pursue the course of action it began immediately upon taking office, which entails dealing systematically with major priority issues and not introducing legislative measures that add to administrative burdens or open the door to disputes that would have obvious negative regulatory impacts. In this way, the Commission will be able to contribute to the sound application of the principle of proportionality;
- b) as announced, the European Commission and the other relevant bodies of the EU should offer more detailed reasons to show that their legislative proposals are consistent with the principles of subsidiarity and proportionality and, as envisaged by Protocol 2, should also provide qualitative and quantitative indicators to this end;
- c) in light of the points highlighted in the Better Regulation package, the impact assessment methods used by the Commission, the European Parliament and the Council should be mutually comparable and compatible, also to make it easier for National Parliaments to check compliance with the principles of subsidiarity and proportionality.