



EUROPEAN COMMISSION

Brussels, 9. III. 2012
C/2012/ 1567 final

Dear President,

The Commission would like to thank the Assembleia da República for its opinion on the proposal for a Regulation of the European Parliament and of the Council on administrative cooperation through the Internal Market Information System ("IMI") – {COM(2011)522 final}.

I would like to take this opportunity to stress that the delegation of powers to the Commission in the proposal is delimited by many guarantees for the European Parliament and the Council. Moreover, the co-legislators retain control of the delegated power through the possibility to oppose a delegated act adopted by the Commission or even to revoke the delegation of powers to the Commission.

Concerning the notion of the term "essential", the Commission would like to point out that in accordance with Article 290 of the TFEU, delegated acts have been provided for in cases of "quasi legislative" acts, i.e. those that address non-essential elements of the legislative act and supplement or amend the legislative act. In addition, the notion of "essential" is well established in the EU law and thus what is considered "essential" is already in the basic act.

The Commission is convinced that its proposal is in compliance with the requirements of the Treaty, while at the same time providing for a suitable mechanism to facilitate the possible future expansion of IMI to new legislative areas.

I look forward to continuing our policy dialogue.

Yours faithfully,

*Maroš Šefčovič
Vice-President*

*Maria da Assunção Andrade Esteves
President of the Assembly of the Republic
Palácio de São Bento, Rua da Imprensa à Estrela
1249 Lisboa, Portugal*