



EUROPEAN COMMISSION

Brussels, 7.11.2013
C(2013) 7412 final

Dear President,

The Commission would like to thank the Senat for its Opinion concerning the amended proposal for a Regulation of the European Parliament and of the Council on the European Maritime and Fisheries Fund [repealing Council Regulation (EC) No 1198/2006 and Council Regulation (EC) No 861/2006 and Council Regulation No XXX/2011 on integrated maritime policy] {COM(2013) 245 final}.

As per the application of the proportionality principle, the Commission notes that the proposal seeks to respond to numerous requests by Member States to ensure that the arrangements for the implementation and use of the European Maritime and Fisheries Fund, and in particular the financial and administrative resources required for the implementation of this fund, take into account the principle of proportionality. Therefore the Commission finds that the proposal does not go beyond what is necessary to ensure that the objectives of the European Maritime and Fisheries Fund are achieved while respecting the proportionality principle.

As per the use of delegated acts, the Commission would like to underline that under the new rules of the Lisbon Treaty (Article 290 TFEU for delegated acts and 291 TFEU for implementing acts) and according to the "Common Understanding on delegated acts" agreed between the European Parliament, the Council and the Commission, many of non-essential elements of the provisions in the proposal can no longer be covered by an implementing regulation. Indeed, Article 291 TFEU limits implementing acts to those cases where uniform conditions for implementing legally binding acts are needed while Article 290 TFEU sets out that delegated acts must supplement or amend non-essential elements of the legislative act.

The Commission hopes that these clarifications address the concerns raised by the Senat and looks forward to continuing the political dialogue in the future.

Yours faithfully,

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Vice-President*

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