

EUROPEAN COMMISSION

Brussels, 26.11.2015
C(2015) 8522 final

Dear Chair,

The Commission would like to thank the House of Lords for its Opinion on the Commission's 2014 annual reports on its relations with national Parliaments {COM(2015) 316 final} and on subsidiarity and proportionality {COM(2015) 315 final}.

As the Opinion notes, this Commission has made a commitment to strengthening its partnership with national Parliaments and I am pleased to announce that the Commission has recently reaffirmed this commitment in its Work Programme for 2016 as it intends to take further steps to ensure that national Parliaments have a strong voice in European policy-making.

I have a particular responsibility for coordinating and strengthening the interaction of all Commissioners with national Parliaments and have encouraged my fellow Members of the College to make meetings with national Parliaments an integral part of their visits to Member States. I am therefore pleased to note that the House of Lords acknowledges the Commission's efforts to increase the frequency of its meetings with national Parliaments and would like to repeat the message I delivered to the meeting of the COSAC Chairs in July 2015 that the Commission will strive to maintain this level of engagement in the future.

As I told the same meeting, the Commission is open to consider any proposal put forward within the framework of the political dialogue that enjoys broad support amongst national Parliaments. The Commission has therefore paid particular attention to the Opinion it received from the House of Lords and 15 other chambers relating to food waste and looks forward to further exchanges on this issue once the revised circular economy package is adopted later this year.

Turning to the subject of impact assessments, the Better Regulation package adopted in May 2015 includes a range of measures to make Commission policy-making more transparent and evidence-based, including improved guidelines both for ex-ante impact assessment and ex-post evaluation of existing legislation. The latter includes strengthened guidance both on subsidiarity and proportionality analysis. A new Regulatory Scrutiny Board has been established and is responsible for reviewing the quality of impact assessments – and of major evaluations – and for recommending improvements in case particular aspects, including subsidiarity or proportionality, have not been duly taken into account.

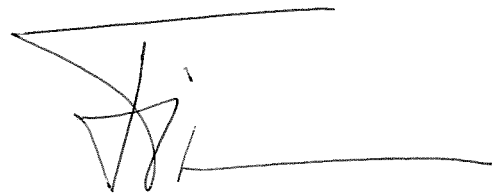
*The Lord Boswell of Aynho
Chair of the European Union Select Committee
House of Lords
Palace of Westminster
UK – LONDON SW1A 0PW*

As the Better Regulation package demonstrates, the Commission is strongly committed to ensuring that its impact assessments are of as high a quality as possible and that the Board's recommendations are fully addressed. This combination of quality support and control for impact assessments will further enhance respect for subsidiarity and proportionality in Commission proposals.

Regarding the letter addressed in June 2014 by 29 signatories of national parliamentary chambers to the then President-designate Juncker is concerned, I would like to recall that I was able to use, shortly after the entry into office of this Commission, the opportunity afforded by the COSAC meeting in Rome last year to respond orally at some length to the issues it raised, underlining in particular that in the Commission's view, the most appropriate and effective way to take such an idea forward would be for the national Parliaments most interested to initiate the setting up of a working group with all like-minded colleagues. Since that occasion, I have followed with active interest the work of the informal working groups that interested national Parliaments have themselves set up to consider the role of national Parliaments and which continue during the Luxembourg COSAC presidency, and remain ready to engage, in particular in the context of COSAC, with all national Parliaments on these issues.

As the Commission has noted on a number of prior occasions, including in its reply to the House of Lords' 2014 report on the role of national Parliaments in the European Union, there is no legal basis in the present Treaties that would enable the Commission to entertain the changes to the subsidiarity control mechanism envisaged by the House of Lords. The Commission nevertheless appreciates the House of Lords' continued and active engagement in this area and I look forward to continuing our dialogue in the future and to the constructive contribution that I am sure the House of Lords will make to the reflection on an increased role for national Parliaments in the preparation of EU decision-making that was announced in the Commission Work Programme for 2016.

Yours faithfully,

A handwritten signature in black ink, consisting of a stylized 'F' and 'T' followed by a horizontal line extending to the right.

*Frans Timmermans
First Vice-President*