

VII) Subsidiarity and Proportionality

1. National Parliaments and Subsidiarity

a) General documents on subsidiarity

Commission Annual Reports on Subsidiarity and Proportionality
http://ec.europa.eu/smart-regulation/better_regulation/reports_en.htm

b) Yellow and orange card procedures

Letter of 1 December 2009 of the President and Vice-President Wallström on practical arrangements for the operation of the subsidiarity control mechanism under Protocol No 2 of the Treaty of Lisbon
http://ec.europa.eu/dgs/secretariat_general/relations/relations_other/npo/docs/letter_en.pdf

Commission decision to withdraw the Proposal for a Council Regulation on the exercise of the right to take collective action within the context of the freedom of establishment and the freedom to provide services - COM(2012) 130 [1st yellow card procedure]
http://ec.europa.eu/dgs/secretariat_general/relations/relations_other/npo/letter_to_nal_parl_en.htm

Communication from the Commission to the European Parliament, the Council and the national Parliaments on the review of the proposal for a Council Regulation on the establishment of the European Public Prosecutor's Office with regard to the principle of subsidiarity, in accordance with Protocol No 2 (COM(2013) 851 final) [2nd yellow card procedure]
http://ec.europa.eu/dgs/secretariat_general/relations/relations_other/npo/pdf/com_2013_0851_en.pdf

c) Commission replies to opinions and reasoned opinions from national Parliaments

General website
http://ec.europa.eu/dgs/secretariat_general/relations/relations_other/npo/index_en.htm

2. REFIT and Evaluation

a) Regulatory fitness and performance programme (REFIT)

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions "EU Regulatory Fitness" - COM(2012)746:
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0746:FIN:EN:PDF>

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions "Regulatory Fitness and Performance (REFIT): Results and Next Steps" - COM(2013)685final
http://ec.europa.eu/commission_2010-2014/president/news/archives/2013/10/pdf/20131002-refit_en.pdf

Annex to the Commission Communication on Regulatory Fitness and Performance
http://ec.europa.eu/smart-regulation/docs/20131002-refit-annex_en.pdf

Commission Staff Working Document "Regulatory Fitness and Performance Programme (REFIT): Initial Results of the Mapping of the Acquis" - SWD(2013)401final

http://ec.europa.eu/smart-regulation/docs/reg_fitn_perf_prog_en.pdf

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions "Regulatory Fitness and Performance Programme (REFIT): State of Play and Outlook" - COM(2014)368final

<http://www.cc.cec/sg/vista/home?documentDetails&DocRef=COM/2014/368&ComCat=SPINE>

Commission Staff Working Document accompanying the Communication

<http://www.cc.cec/sg/vista/home?documentDetails&DocRef=SWD/2014/192&ComCat=SPINE>

Assessing the Costs and Benefits of Regulation (Study)

http://ec.europa.eu/smart-regulation/impact/commission_guidelines/docs/131210_cba_study_sg_final.pdf

The President's page with an article on REFIT

http://ec.europa.eu/commission_2010-2014/president/news/archives/2013/10/20131002_2_en.htm

b) Evaluation

Communication "Strengthening the foundations of smart regulation – improving evaluation"

http://ec.europa.eu/smart-regulation/docs/com_2013_686_en.pdf

Annex to the Communication "Strengthening the foundations of smart regulation – improving evaluation"

http://ec.europa.eu/smart-regulation/docs/com_2013_686_f1_annex_en.pdf

Overview website: Public consultation on Commission Guidelines for evaluation

http://ec.europa.eu/smart-regulation/evaluation/consultation/index_en.htm

Main consultation document

http://ec.europa.eu/smart-regulation/evaluation/docs/20131111_guidelines_pc_part_i_ii_clean.pdf

Annex I: Evaluation standards

http://ec.europa.eu/smart-regulation/evaluation/docs/20131111_evaluation_guidelines_annex_1_clean.pdf

3. Impact assessments

a) Impact Assessment Board annual reports

- 2013 http://ec.europa.eu/smart-regulation/impact/key_docs/docs/iab_report_2013_en.pdf
- 2012 http://ec.europa.eu/smart-regulation/impact/key_docs/docs/iab_report_2012_en.pdf
- 2011 http://ec.europa.eu/smart-regulation/impact/key_docs/docs/sec_2012_0101_en.pdf
- 2010 http://ec.europa.eu/smart-regulation/impact/key_docs/docs/sec_2011_126_en.pdf
- 2009 <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52009SC1728>
- 2008 <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52009SC0055>
- 2007 <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52008SC0120>

b) Impact Assessment Guidelines

http://ec.europa.eu/smart-regulation/impact/commission_guidelines/docs/iag_2009_en.pdf

Annexes:

http://ec.europa.eu/smart-regulation/impact/commission_guidelines/docs/ia_guidelines_annexes_en.pdf

c) Impact Assessment specific guidance

Commission Staff Working Document "Assessing territorial impacts: Operational guidance on how to assess regional and local impacts within the Commission Impact Assessment System"

http://ec.europa.eu/smart-regulation/impact/key_docs/docs/cswd_ati_en.pdf

4. Article 352

a) Legislation adopted

Regulation (EU) No 1232/2010 of the EP and the Council of 15 December 2010 concerning the EU financial contributions to the International Fund for Ireland

http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2010.346.01.0001.01.ENG

Council Regulation (EU) No 55/2013 of 17 December 2012 concerning the extension of the scope of Regulation (EU) No 1214/2011 on the professional cross-border transport of euro cash by road between euro area Member States

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013R0055&rid=7>

Council Regulation (EU) No 216/2013 of 7 March 2013 on the electronic publication of the *Official Journal of the European Union*

http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2013.255.01.s003.01.ENG

Council Decision No 252/2013/EU of 11 March 2013 establishing a Multiannual Framework for 2013-2017 for the EU Agency for Fundamental Rights

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013D0252&rid=1>

Council Decision 2013/203 of 22 April 2013 on the signing of an Agreement between the European Union and the Swiss Confederation concerning cooperation on the application of their competition laws

http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2013.117.01.0006.01.ENG

Council Decision 2013/702/EU of 7 October 2013 on the signing of the Protocol to the Agreement on Cooperation and Custom Union with San Marino regarding the participation of Croatia following its accession to the European Union

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013D0702&rid=1>

b) Further legislation proposed by the Commission

Proposal for a Council Regulation extending to the non-participating Member States the application of Regulation 331/2014 establishing an exchange, assistance and training programme for the protection of the euro against counterfeiting ('Pericles 2020')(COM(2011)910)

<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32014R0331&rid=2>

Proposal for a Council Regulation establishing for the period 2014-2020 the programme "Europe for Citizens" (COM(2011)884)

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011PC0884&rid=4>

Proposal for a Council Regulation on the Statute for a European Foundation (COM(2012)35)
<http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52012PC0035>

Proposal for a Council Decision on the conclusion of an Agreement between the European Union and the Swiss Confederation concerning cooperation on the application of their competition laws (COM(2012)245)
<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52012PC0245&rid=6>

Proposal for a Council Regulation establishing a facility for providing financial assistance for Member States whose currency is not the euro (COM(2012)336)
<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52012PC0336&rid=6>

Proposal for a Council Regulation amending Regulation 354/83 as regards the deposit of the historical archives of the institutions at the EUI in Florence (COM(2012)456)
<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52012PC0456&rid=4>

Proposal for a Council Decision on the conclusion of the Protocol to the Agreement on Cooperation and Customs Union with San Marino regarding the participation of Croatia following its accession to the European Union (COM(2013)568)
<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52013PC0568&rid=4>

Proposal for a Council Decision on a Tripartite Social Summit for Growth and Employment (COM(2013)740)
<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52013PC0740&rid=2>

Proposal for a Council Directive on the placing on the market of food from animal clones (COM(2013)893)
<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52013PC0893&rid=1>

Proposal for a Council Decision on the repeal of Council Decision 2007/124 (COM(2013)580)
<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52013PC0580&rid=4>

c) Pending legislation proposed by the Commission under the precursor Article 308

Proposal for a Council Regulation on the statute for a European private company (COM(2008)396)
<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52008PC0396&rid=7>

Proposals to modify the term of office of the Director or President of 20 European Agencies, four of which are based on Art.308 EC (regarding the Office for Harmonisation in the Internal Market, the Translation Centre for bodies of the European Union, the European Monitoring Centre on Racism and Xenophobia, the European GNSS Supervisory Authority) (COM(2005)190)
http://eur-lex.europa.eu/resource.html?uri=cellar:9b8ac94f-3d34-4add-955d-3c5442dd2f86.0005.03/DOC_1&format=PDF