

Interparliamentary Committee Meeting

Committee on Legal Affairs

The EU's Subsidiarity mechanism

European Parliament,
Brussels Antall 2Q2,
and by remote participation (tbc)

Monday, 25 April 2022
13.45- 15.45

13.45- 13.50

Welcome words

Adrián Vázquez Lázara

Chair of the Committee on Legal Affairs, European Parliament

13.50 - 13.55

Introduction to the topic

Nacho Sánchez Amor

Standing rapporteur on Subsidiarity

13.55 - 14. 25

How to make the Reasoned Opinions more efficient and improve political dialogue - National parliaments' and European perspectives

) *National Parliament(s) Representative(s)*

) *Dr. Cristina Ares Castro-Conde*

Senior lecturer at the Department of Political Science and Sociology of the University of Santiago de Compostela, and author of the study "The Early Warning System (EWS): a faulty playground on which to trigger the "solidarity card"

) *Dr. Diane Fromage*

Marie Skłodowska-Curie Professor of European Law at the University of Salzburg, and author of the Study: “*Controlling subsidiarity in today's EU: the role of the European Parliament and the national parliaments*¹”

The subsidiarity control mechanism applies in areas where the EU does not have exclusive competence.

In cases where national Parliaments consider that draft legislative acts do not comply with subsidiarity, they can send a reasoned opinion to the Commission within eight weeks.

National Parliaments also can issue opinions on Commission documents or policy areas where the Commission has power to act. The Commission aims to reply to such opinions within three months.

14.25-14.35 Regional and Local parliaments’ contribution to the subsidiarity check: the German experience (TBC)

) *Member of the Bundesrat*

The Task Force on Subsidiarity, Proportionality and ‘Doing Less More Efficiently’ issued recommendations to give local and regional authorities and national parliaments a more prominent role in order to achieve ‘active subsidiarity’.

German regional parliaments can and do participate to the political dialogue by sending contributions in the framework of the political dialogue.

14.35 - 14.45 The role of the Committee of the Regions in the subsidiarity check

) *Mr Karl-Heinz Lambertz*

President/Chair of the Subsidiarity Steering Group of the COR

Since the entry into force of the Lisbon Treaty the Committee of the Regions (CoR) is vested with more responsibilities regarding subsidiarity. It now has the right to bring an action before the EU Court of Justice on the grounds of infringement of the subsidiarity principle.

14.45- 15.05 Debate in the presence of the EC

15.05- 15.15 Assessing proportionality of EU law

) *Ms Dorota Denning*

Member of the Regulatory Scrutiny Board (RSB)

RSB provides central quality control and support for Commission impact assessments and evaluations at early stages of the legislative process, in order to identify opportunities for

¹ Study commissioned for the JURI Committee by the Policy Department for Citizens' Rights and Constitutional Affairs.

simplification prior to the Commission proposing the revision of any existing law or adoption of a new one.

15.15 - 15.30 **Good practices in avoiding “gold plating” in the implementation of EU law**

) Member (s) of National Parliaments (TBC)

Member States’ parliaments should not be prevented from maintaining or taking more ambitious measures and adopting higher standards in cases where only minimum standards are defined by Union law. In some cases, Member States need to add elements of national importance when implementing EU rules. The practice of ‘gold plating’ however translates into additional unnecessary regulatory or administrative burden for citizens and stakeholders; (Member state XXX) has already adopted guidelines on how to avoid gold-plating.

15.30- 15.40 **Debate in the presence of the EC**

15.40- 15.45 **Closing remarks**

Adrián Vázquez Lázara

Chair of the Committee on Legal Affairs, European Parliament

15.45 **End of meeting**