

Proposal for a regulation of the European Parliament and of the Council adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 of the Treaty on the Functioning of the European Union

(Text with EEA relevance)

Green: The text can be deemed as provisionally agreed at technical level, subject to confirmation at the trilogue
 Yellow: Technical level proposal.
 Red: The issue needs further discussion at trilogues

Note:

Differences between the EP's position and the Commission's proposal are highlighted in Bold/Italics on EP text.

Differences between the Council's position and the Commission's proposal are highlighted in Bold/[...] on Council text.

Modifications by lawyer-linguists are in Italics.

Compromise wording is in Bold/Italics/Underline.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
1.	ANNEX			
2.	I. CLIMATE ACTION			I. CLIMATE ACTION
3.	5. Regulation (EC) No 733/2002 of the European Parliament and of the Council of 22 April 2002 on the			5. Regulation (EC) No 733/2002 of the European Parliament and of the Council of 22 April 2002 on the

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	implementation of the .eu Top Level Domain¹			implementation of the .eu Top Level Domain²
4.	In order to set out the conditions for the implementation of the .eu country code Top Level Domain (ccTLD) established by Regulation (EC) No 733/2002, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to supplement that Regulation with the criteria and the procedure for the designation of the Registry, and with public policy rules concerning the implementation and function of the .eu Top Level Domain (TLD) and the public policy principles on registration. It is of particular importance that the Commission carry out appropriate			In order to set out the conditions for the implementation of the .eu country code Top Level Domain (ccTLD) established by Regulation (EC) No 733/2002, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to supplement that Regulation with the criteria and the procedure for the designation of the Registry, and with public policy rules concerning the implementation and function of the .eu Top Level Domain (TLD) and the public policy principles on registration. It is of particular importance that the Commission

¹ OJ L 113, 30.4.2002, p. 1.

² OJ L 113, 30.4.2002, p. 1.

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	consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
5.	Accordingly, Regulation (EC) No 733/2002 is amended as follows:			Accordingly, Regulation (EC) No 733/2002 is amended as follows:

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6.	(1) in Article 3(1), point (a) is replaced by the following:			(1) in Article 3(1), point (a) is replaced by the following:
7.	“(a) adopt delegated acts in accordance with Article 5a establishing the criteria and the procedure for the designation of the Registry.	“(a) adopt delegated acts in accordance with Article 5a <i>to supplement this Regulation by</i> establishing the criteria and the procedure for the designation of the Registry.		“(a) adopt delegated acts in accordance with Article 5a <i><u>in order to supplement this Regulation by</u></i> establishing the criteria and the procedure for the designation of the Registry.
8.	Where, in the case of establishing the criteria and the procedure for the designation of the Registry, imperative grounds of urgency so require, the procedure provided for in Article 5b shall apply to delegated acts adopted pursuant to this Article;”	Where, in the case of establishing the criteria and the procedure for the designation of the Registry, imperative grounds of urgency so require, the procedure provided for in Article 5b shall apply to delegated acts adopted pursuant to this Article;”		Where, in the case of establishing the criteria and the procedure for the designation of the Registry, imperative grounds of urgency so require, the procedure provided for in Article 5b shall apply to delegated acts adopted pursuant to this Article;”
9.	(2) Article 5 is amended as follows:			(2) Article 5 is amended as follows:

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
10.	(a) in paragraph 1, the first subparagraph is replaced by the following:			(a) in paragraph 1, the first subparagraph is replaced by the following:
11.	“After consulting the Registry, the Commission is empowered to adopt delegated acts in accordance with Article 5a setting out public policy rules on the implementation and function of the .eu TLD and public policy principles on registration.”;	“After consulting the Registry, the Commission is empowered to adopt delegated acts in accordance with Article 5a <i>to supplement this Regulation by</i> setting out public policy rules on the implementation and function of the .eu TLD and public policy principles on registration.”		“After consulting the Registry, the Commission is empowered to adopt delegated acts in accordance with Article 5a <i>in order to supplement this Regulation by</i> setting out public policy rules on the implementation and function of the .eu TLD and public policy principles on registration.”
12.	(b) in paragraph 2, the third subparagraph is replaced by the following:			(b) in paragraph 2, the third subparagraph is replaced by the following:
13.	“Where a Member State or the Commission within 30 days of publication raises an objection to an item included in a notified list, the Commission is	“Where a Member State or the Commission within 30 days of publication raises an objection to an item included in a notified list,		“Where a Member State or the Commission within 30 days of publication raises an objection to an item included in a notified list, the Commission is

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	empowered to adopt delegated acts, in accordance with Article 5a, to remedy the situation.”;	the Commission is empowered to adopt delegated acts, in accordance with Article 5a, to remedy the situation <i>by supplementing this Regulation.</i> ”		empowered to adopt delegated acts, in accordance with Article 5a, to remedy the situation <i>by supplementing this Regulation.</i> ”
14.	(3) the following Articles 5a and 5b are inserted:			(3) the following Articles 5a and 5b are inserted:
15.	<i>Article 5a</i> Exercise of the delegation			<i>Article 5a</i> Exercise of the delegation
16.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
17.	2. The power to adopt delegated acts referred to in Article 3(1) and Article 5(1) and (2) shall be conferred on the Commission for an indeterminate period of time	2. The power to adopt delegated acts referred to in Article 3(1) and Article 5(1) and (2) shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date	2. The power to adopt delegated acts referred to in Article 3(1) and Article 5(1) and (2) shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	from [date of entry into force of this Omnibus].	of entry into force of this <i>amending Regulation</i> . <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
18.	3. The delegation of power referred to in Article 3(1) and Article 5(1) and (2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that			3. The delegation of power referred to in Article 3(1) and Article 5(1) and (2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that

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	decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
19.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 ¹ .			4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making ¹ .
20.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to

¹ OJ L 123, 12.5.2016, p. 1.";

² OJ L 123, 12.5.2016, p. 1.";

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	the European Parliament and to the Council.			the European Parliament and to the Council.
21.	6. A delegated act adopted pursuant to Article 3(1) and Article 5(1) and (2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			6. A delegated act adopted pursuant to Article 3(1) and Article 5(1) and (2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
22.	<i>Article 5b</i> Urgency procedure			<i>Article 5b</i> Urgency procedure
23.	1. Delegated acts adopted under this Article shall enter into force			1. Delegated acts adopted under this Article shall enter into force

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.			without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.
24.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 5a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.			2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 5a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.
25.	(4) in Article 6, paragraphs 3 and 4 are deleted.			(4) in Article 6, paragraphs 3 and 4 are deleted.
26.	IV. EMPLOYMENT, SOCIAL AFFAIRS AND INCLUSION			IV. EMPLOYMENT, SOCIAL AFFAIRS AND INCLUSION

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
27.	9. Council Directive 89/654/EEC of 30 November 1989 concerning the minimum safety and health requirements for the workplace (first individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC)³			9. Council Directive 89/654/EEC of 30 November 1989 concerning the minimum safety and health requirements for the workplace (first individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC)⁴
28.	In order to take account of technical harmonisation and standardisation of the design, manufacture or construction of parts of workplaces, technical progress, changes in international regulations or specifications and knowledge with regard to the workplaces, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend, in a technical way , the Annexes to		In order to take account of technical harmonisation and standardisation of the design, manufacture or construction of parts of workplaces, technical progress, changes in international regulations or specifications and knowledge with regard to the workplaces, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] the Annexes to Directive 89/654/EEC. It is of particular importance that the	In order to take account of technical harmonisation and standardisation of the design, manufacture or construction of parts of workplaces, technical progress, changes in international regulations or specifications and knowledge with regard to the workplaces, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to

³ OJ L 393, 30.12.1989, p.1.

⁴ OJ L 393, 30.12.1989, p.1.

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	<p>Directive 89/654/EEC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-Institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>		<p>Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-Institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p><u>make strictly technical amendments to</u> the Annexes to Directive 89/654/EEC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <u>of 13 April 2016</u> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and <u>the</u> Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>

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29.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003 ⁵ .	<i><u>In accordance with Council Decision of 22 July 2003⁶ the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work.</u></i>
30.	Accordingly, Directive 89/654/EEC is amended as follows:			Accordingly, Directive 89/654/EEC is amended as follows:
31.	(1) Article 9 is replaced by the following:			(1) Article 9 is replaced by the following:
32.	"Article 9 Amendments to the Annexes			"Article 9 Amendments to the Annexes

4. Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

4. Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

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33.	The Commission is empowered to adopt delegated acts in accordance with Article 9a amending the Annexes, in a technical way , in order to take account of technical harmonisation and standardisation of the design, manufacture or construction of parts of workplaces, technical progress, changes in international regulations or specifications and knowledge with regard to workplaces.		The Commission is empowered to adopt delegated acts in accordance with Article 9a introducing strictly technical amendments to [...] the Annexes, in order to take account of technical harmonisation and standardisation of the design, manufacture or construction of parts of workplaces, technical progress, changes in international regulations or specifications and knowledge with regard to workplaces.	The Commission is empowered to adopt delegated acts in accordance with Article 9a <u>to make strictly technical amendments to</u> the Annexes, in order to take account of technical harmonisation and standardisation of the design, manufacture or construction of parts of workplaces, technical progress, changes in international regulations or specifications and knowledge with regard to workplaces.
34.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 9b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	NB: depending on the outcome of the negotiations on urgency procedure, the following compromise wording proposal could be considered: <u>Where, in duly justified and exceptional cases of [possible] imminent and serious risks to workers' health and safety,</u>

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				<i><u>which can directly endanger their physical integrity or that of other persons, imperative grounds of urgency require to act in a very short timeframe, the procedure provided for in Article 9b shall apply to delegated acts adopted pursuant to this Article.</u></i> ⁷
35.	(2) the following Articles 9a and 9b are inserted:		(2) the following [...] is inserted:	NB: the wording of introductory phrase depends on whether or not the urgency procedure will be kept in this Act

⁷ This wording on the urgency procedure concerns in total 16 acts in the package (acts 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 23, 24, 25, 26, 28 and 100) and if it is agreed to keep the urgency procedure in those acts, this wording would apply to all of them.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
36.	<p><i>"Article 9a</i> Exercise of the delegation</p> <p>1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.</p>			<p><i>"Article 9a</i> Exercise of the delegation</p> <p>1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.</p>
37.	<p>2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].</p>	<p>2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ...[date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of</i></p>	<p>2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later</p>	<p>NB: ⁸</p>

⁸ The duration of the empowerment is a horizontal issue and concerns all acts in the package. Once agreement is found on this point it would apply to all acts.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	than three months before the end of each period.	
38.	3. The delegation of power referred to in Article 9 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 9 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
39.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 .		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making.
40.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

* OJ L 123, 12.5.2016, p. 1."

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
41.	6. A delegated act adopted pursuant to Article 9 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.			6. A delegated act adopted pursuant to Article 9 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or <i>of</i> the Council.
42.	<i>Article 9b</i> Urgency procedure		[...]	NB: depending on the outcome of negotiations on the urgency procedure, if agreed then the standard text of the provision,

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				as proposed by the Commission, would be inserted
43.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and the Council shall state the reasons for the use of the urgency procedure.			

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44.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 9a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or the Council.			
45.	10. Council Directive 89/656/EEC of 30 November 1989 on the minimum health and safety requirements for the use by workers of personal protective equipment at the workplace (third individual directive within the meaning of			10. Council Directive 89/656/EEC of 30 November 1989 on the minimum health and safety requirements for the use by workers of personal protective equipment at the workplace (third individual directive within the meaning of

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Article 16 (1) of Directive 89/391/EEC) ⁹			Article 16 (1) of Directive 89/391/EEC) ¹⁰
46.	In order to take account of technical harmonisation and standardisation, technical progress, changes in international regulations or specifications and knowledge with regard to personal protective equipment, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend, in a technical way , the Annexes to Directive		In order to take account of technical harmonisation and standardisation, technical progress, changes in international regulations or specifications and knowledge with regard to personal protective equipment, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] the Annexes to Directive 89/656/EEC. It is of particular importance that the	In order to take account of technical harmonisation and standardisation, technical progress, changes in international regulations or specifications and knowledge with regard to personal protective equipment, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to <i>make strictly</i>

⁹ OJ L 393, 30.12.1989, p. 18.

¹⁰ OJ L 393, 30.12.1989, p. 18.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	<p>89/656/EEC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>		<p>Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p><i>technical amendments to the Annexes to Directive 89/656/EEC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</i></p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
47.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003 ¹¹ .	<i><u>In accordance with Council Decision of 22 July 2003¹² the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work.</u></i>
48.	Accordingly, Directive 89/656/EEC is amended as follows:			Accordingly, Directive 89/656/EEC is amended as follows:
49.	(1) Article 9 is replaced by the following: "Article 9 Amendments to the Annexes			(1) Article 9 is replaced by the following: "Article 9 Amendments to the Annexes

¹¹ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

4. Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
50.	The Commission is empowered to adopt delegated acts in accordance with Article 9a amending the Annexes, in a technical way , in order to take account of technical harmonisation and standardisation relating to personal protective equipment, technical progress, changes in international regulations or specifications and knowledge in the field of personal protective equipment.		The Commission is empowered to adopt delegated acts in accordance with Article 9a introducing strictly technical amendments to [...] the Annexes, [...], in order to take account of technical harmonisation and standardisation relating to personal protective equipment, technical progress, changes in international regulations or specifications and knowledge in the field of personal protective equipment.	The Commission is empowered to adopt delegated acts in accordance with Article 9a <u>to make strictly technical amendments to</u> the Annexes in order to take account of technical harmonisation and standardisation relating to personal protective equipment, technical progress, changes in international regulations or specifications and knowledge in the field of personal protective equipment.
51.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 9b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	NB: depending on the outcome of the negotiations on urgency procedure, the following compromise wording proposal could be considered: <u>Where, in duly justified and exceptional cases of [possible] imminent and serious risks to workers' health and safety,</u>

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				<i><u>which can directly endanger their physical integrity or that of other persons, imperative grounds of urgency require to act in a very short timeframe, the procedure provided for in Article 9b shall apply to delegated acts adopted pursuant to this Article.</u></i> ¹³
52.	(2) the following Articles 9a and 9b are inserted:		(2) the following Article [...] is inserted:	NB: the wording of introductory phrase depends on whether or not the urgency procedure will be kept in this Act
53.	"Article 9a Exercise of the delegation			"Article 9a Exercise of the delegation

¹³ This wording on the urgency procedure concerns in total 16 acts in the package (acts 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 23, 24, 25, 26, 28 and 100) and if it is agreed to keep the urgency procedure in those acts, this wording would apply to all of them.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
54.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
55.	2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ...[date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes</i>	2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>such extension not later than three months before the end of each period.</i>		
56.	3. The delegation of power referred to in Article 9 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 9 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
57.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	institutional Agreement on Better Law-Making of 13 April 2016*.		Agreement of 13 April 2016 on Better Law-Making [...]*	<i>Interinstitutional Agreement of 13 April 2016</i> on Better Law- Making*.
58.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

* OJ L 123, 12.5.2016, p. 1.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
59.	6. A delegated act adopted pursuant to Article 9 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.			6. A delegated act adopted pursuant to Article 9 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or <i>of</i> the Council.
60.	<i>Article 9b</i> Urgency procedure		[...]	NB: depending on the outcome of negotiations on the urgency procedure, if agreed then the standard text of the provision,

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				as proposed by the Commission, would be inserted
61.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and the Council shall state the reasons for the use of the urgency procedure.			
62.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 9a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or the Council.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
63.	11. Council Directive 90/269/EEC of 29 May 1990 on the minimum health and safety requirements for the manual handling of loads where there is a risk particularly of back injury to workers (fourth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)¹⁴			11. Council Directive 90/269/EEC of 29 May 1990 on the minimum health and safety requirements for the manual handling of loads where there is a risk particularly of back injury to workers (fourth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)¹⁵
64.	In order to take account of technical progress, changes in international regulations or specifications and knowledge with regard to manual handling of loads where there is a risk particularly of back injury to workers, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to Directive		In order to take account of technical progress, changes in international regulations or specifications and knowledge with regard to manual handling of loads where there is a risk particularly of back injury to workers, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] the Annexes to Directive 90/269/EEC [...]. It is of particular	In order to take account of technical progress, changes in international regulations or specifications and knowledge with regard to manual handling of loads where there is a risk particularly of back injury to workers, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	<p>90/269/EEC, in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>		<p>importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p><u>make strictly technical amendments to</u> the Annexes to Directive 90/269/EEC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the <u>Interinstitutional Agreement of 13 April 2016</u> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and <u>the</u> Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
65.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003 ¹⁶ .	<u><i>In accordance with Council Decision of 22 July 2003¹⁷.the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work.</i></u>
66.	Accordingly, Directive 90/269/EEC is amended as follows:			Accordingly, Directive 90/269/EEC is amended as follows:
67.	(1) Article 8 is replaced by the following:			(1) Article 8 is replaced by the following:
68.	"Article 8 Amendments to the Annexes			"Article 8 Amendments to the Annexes

¹⁶ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

¹⁷ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
69.	The Commission is empowered to adopt delegated acts in accordance with Article 8a amending, in a technical way, the Annexes in order to take account of technical progress, changes in international regulations or specifications and knowledge in the field of the manual handling of loads.		The Commission is empowered to adopt delegated acts in accordance with Article 8a introducing strictly technical amendments to [...] the Annexes in order to take account of technical progress, changes in international regulations or specifications and knowledge in the field of the manual handling of loads.	The Commission is empowered to adopt delegated acts in accordance with Article 8a <u>to make strictly technical amendments to</u> the Annexes in order to take account of technical progress, changes in international regulations or specifications and knowledge in the field of the manual handling of loads.
70.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 8b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	NB: depending on the outcome of the negotiations on urgency procedure, the following compromise wording proposal could be considered: <u>Where, in duly justified and exceptional cases of [possible] imminent and serious risks to workers' health and safety, which can directly endanger their physical integrity or that of other persons, imperative grounds of urgency require to</u>

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				<i>act in a very short timeframe, the procedure provided for in Article 8b shall apply to delegated acts adopted pursuant to this Article.¹⁸</i>
71.	(2) the following Articles 8a and 8b are inserted:		(2) the following Article [...] is inserted:	NB: the wording of introductory phrase depends on whether or not the urgency procedure will be kept in this Act
72.	"Article 8a Exercise of the delegation			"Article 8a Exercise of the delegation

¹⁸ This wording on the urgency procedure concerns in total 16 acts in the package (acts 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 23, 24, 25, 26, 28 and 100) and if it is agreed to keep the urgency procedure in those acts, this wording would apply to all of them.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
73.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
74.	2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ...[date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes</i>	2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>such extension not later than three months before the end of each period.</i>		
75.	3. The delegation of power referred to in Article 8 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 8 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
76.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016 *.		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law [...]*	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law Making*.
77.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
78.	6. A delegated act adopted pursuant to Article 8 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.			6. A delegated act adopted pursuant to Article 8 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or <i>of</i> the Council.
79.	<i>Article 8b</i> Urgency procedure		[...]	NB: depending on the outcome of negotiations on the urgency procedure, if agreed then the standard text of the provision,

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				as proposed by the Commission, would be inserted
80.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and the Council shall state the reasons for the use of the urgency procedure.			
81.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 8a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or the Council.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
82.	12. Council Directive 90/270/EEC of 29 May 1990 on the minimum safety and health requirements for work with display screen equipment (fifth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)¹⁹			12. Council Directive 90/270/EEC of 29 May 1990 on the minimum safety and health requirements for work with display screen equipment (fifth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)²⁰
83.	In order to take account of technical progress, changes in international regulations or specifications and knowledge with regard to display screen equipment, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annex to Directive 90/270/EEC, in a technical way . It is of particular importance that the Commission carry out appropriate consultations during		In order to take account of technical progress, changes in international regulations or specifications and knowledge with regard to display screen equipment, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] the Annex to Directive 90/270/EEC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and	In order to take account of technical progress, changes in international regulations or specifications and knowledge with regard to display screen equipment, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to make strictly technical amendments to the Annex to Directive 90/270/EEC. It is of particular importance that

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Work (OJ C 218, 13.9.2003, p. 1

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and <i>the</i> Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
84.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the	<i><u>In accordance with Council Decision of 22 July 2003²² the Commission is assisted by the</u></i>

²² Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
			preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003 ²¹ .	<u><i>Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work.</i></u>
85.	Accordingly, Directive 90/270/EEC is amended as follows:			Accordingly, Directive 90/270/EEC is amended as follows:
86.	(1) Article 10 is replaced by the following:			(1) Article 10 is replaced by the following:
87.	<i>"Article 10</i> Amendments to the Annex			<i>"Article 10</i> Amendments to the Annex

²¹ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
88.	The Commission is empowered to adopt delegated acts in accordance with Article 10a amending the Annex, in a technical way , in order to take account of technical progress, developments in international regulations or specifications and knowledge in the field of display screen equipment.		The Commission is empowered to adopt delegated acts in accordance with Article 10a introducing strictly technical amendments to [...] the Annex, [...] in order to take account of technical progress, developments in international regulations or specifications and knowledge in the field of display screen equipment.	The Commission is empowered to adopt delegated acts in accordance with Article 10a <u>to make strictly technical amendments to</u> the Annex in order to take account of technical progress, developments in international regulations or specifications and knowledge in the field of display screen equipment.
89.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 10b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	NB: depending on the outcome of the negotiations on urgency procedure, the following compromise wording proposal could be considered: <u>Where, in duly justified and exceptional cases of [possible] imminent and serious risks to workers' health and safety, which can directly endanger their physical integrity or that of other persons, imperative grounds of urgency require to</u>

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				<i>act in a very short timeframe, the procedure provided for in Article 10b shall apply to delegated acts adopted pursuant to this Article.²³</i>
90.	(2) the following Articles 10a and 10b are inserted:		(2) the following Article [...] is inserted:	NB: the wording of introductory phrase depends on whether or not the urgency procedure will be kept in this Act
91.	<i>"Article 10a</i> Exercise of the delegation			<i>"Article 10a</i> Exercise of the delegation
92.	1. The power to adopt delegated acts is conferred on the Commission subject to the			1. The power to adopt delegated acts is conferred on the Commission subject to the

²³ This wording on the urgency procedure concerns in total 16 acts in the package (acts 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 23, 24, 25, 26, 28 and 100) and if it is agreed to keep the urgency procedure in those acts, this wording would apply to all of them.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	conditions laid down in this Article.			conditions laid down in this Article.
93.	2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
94.	3. The delegation of power referred to in Article 10 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 10 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
95.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement on		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making*.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Better Law-Making of 13 April 2016*.			
96.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
97.	6. A delegated act adopted pursuant to Article 10 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the			6. A delegated act adopted pursuant to Article 10 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the

*OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	initiative of the European Parliament or the Council.			initiative of the European Parliament or <u>of</u> the Council.
98.	<i>Article 10b</i> Urgency procedure		[...]	NB: depending on the outcome of negotiations on the urgency procedure, if agreed then the standard text of the provision, as proposed by the Commission, would be inserted
99.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and the Council shall state the reasons for the use of the urgency procedure.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
100.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 10a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or the Council.			
101.	13. Council Directive 92/29/EEC of 31 March 1992 on the minimum safety and health requirements for improved medical treatment on board vessels ²⁴			13. Council Directive 92/29/EEC of 31 March 1992 on the minimum safety and health requirements for improved medical treatment on board vessels ²⁵
102.	In order to take account of technical progress, changes in international regulations or specifications and new findings with regard to medical treatment on board vessels, the power to		In order to take account of technical progress, changes in international regulations or specifications and new findings with regard to medical treatment on board vessels, the power	In order to take account of technical progress, changes in international regulations or specifications and new findings with regard to medical treatment

²⁴ OJ L 113, 30.4.1992, p. 19.

²⁵ OJ L 113, 30.4.1992, p. 19.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	<p>adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to Directive 92/29/EEC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert</p>		<p>to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] the Annexes to Directive 92/29/EEC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional of 13 April 2016 Agreement on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p>on board vessels, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to <i>make strictly technical amendments to</i> the Annexes to Directive 92/29/EEC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional of 13 April 2016 Agreement on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and <i>the</i> Council receive all documents at the same time as Member States' experts, and their experts</p>

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	groups dealing with the preparation of delegated acts.			systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
103.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003²⁶.	<u>In accordance with Council Decision of 22 July 2003²⁷ the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work.</u>
104.	Accordingly, Directive 92/29/EEC is amended as follows:			Accordingly, Directive 92/29/EEC is amended as follows:
105.	(1) Article 8 is replaced by the following:			(1) Article 8 is replaced by the following:
106.	"Article 8 Amendments to the Annexes			"Article 8 Amendments to the Annexes

²⁶ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

²⁷ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
107.	The Commission is empowered to adopt delegated acts in accordance with Article 8a amending the Annexes, in a technical way, in order to take account of technical progress or changes in international regulations or specifications and new findings concerning medical treatment on board vessels.		The Commission is empowered to adopt delegated acts in accordance with Article 8a introducing strictly technical amendments to [...] the Annexes, [...] in order to take account of technical progress or changes in international regulations or specifications and new findings concerning medical treatment on board vessels.	The Commission is empowered to adopt delegated acts in accordance with Article 8a <u>to make strictly technical amendments to</u> the Annexes in order to take account of technical progress or changes in international regulations or specifications and new findings concerning medical treatment on board vessels.
108.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 8b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	NB: depending on the outcome of the negotiations on urgency procedure, the following compromise wording proposal could be considered: <u>Where, in duly justified and exceptional cases of [possible] imminent and serious risks to workers' health and safety, which can directly endanger their physical integrity or that of other persons, imperative grounds of urgency require to</u>

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				<i>act in a very short timeframe, the procedure provided for in Article 8b shall apply to delegated acts adopted pursuant to this Article.²⁸</i>
109.	(2) the following Articles 8a and 8b are inserted:		(2) the following Article [...] is inserted:	NB: the wording of introductory phrase depends on whether or not the urgency procedure will be kept in this Act
110.	"Article 8a Exercise of the delegation			"Article 8a Exercise of the delegation
111.	1. The power to adopt delegated acts is conferred on the Commission subject to the			1. The power to adopt delegated acts is conferred on the Commission subject to the

²⁸ This wording on the urgency procedure concerns in total 16 acts in the package (acts 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 23, 24, 25, 26, 28 and 100) and if it is agreed to keep the urgency procedure in those acts, this wording would apply to all of them.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	conditions laid down in this Article.			conditions laid down in this Article.
112.	2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission [] for a period of five years from [date of entry into force of this amending Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
113.	3. The delegation of power referred to in Article 8 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 8 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
114.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement on		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making*.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Better Law-Making of 13 April 2016.			
115.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
116.	6. A delegated act adopted pursuant to Article 8 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the			6. A delegated act adopted pursuant to Article 8 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	initiative of the European Parliament or the Council.			initiative of the European Parliament or <i>of</i> the Council.
117.	<i>Article 8b</i> Urgency procedure		[...]	NB: depending on the outcome of negotiations on the urgency procedure, if agreed then the standard text of the provision, as proposed by the Commission, would be inserted
118.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and the Council shall state the reasons for the use of the urgency procedure.			
119.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 8a(6). In such a case, the Commission			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	shall repeal the act immediately following the notification of the decision to object by the European Parliament or the Council.			
120.	14. Council Directive 92/57/EEC of 24 June 1992 on the implementation of minimum safety and health requirements at temporary or mobile construction sites (eighth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)²⁹			14. Council Directive 92/57/EEC of 24 June 1992 on the implementation of minimum safety and health requirements at temporary or mobile construction sites (eighth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)³⁰
121.	In order to take account of technical harmonisation and standardisation technical progress, changes in international regulations or specifications and knowledge		In order to take account of technical harmonisation and standardisation technical progress, changes in international regulations or specifications and knowledge with regard to temporary or mobile	In order to take account of technical harmonisation and standardisation technical progress, changes in international regulations or specifications and knowledge

²⁹ OJ L 245, 26.8.1992, p. 6.

³⁰ OJ L 245, 26.8.1992, p. 6.

<p>with regard to temporary or mobile construction sites, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annex IV to Directive 92/57/EEC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>		<p>construction sites, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] Annex IV to Directive 92/57/EEC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p>with regard to temporary or mobile construction sites, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to <u>make strictly technical amendments to</u> Annex IV to Directive 92/57/EEC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and <i>the</i> Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert</p>
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				groups dealing with the preparation of delegated acts.
122.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003³¹.	<u>In accordance with Council Decision of 22 July 2003³² the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work..</u>
123.	Accordingly, Directive 92/57/EEC is amended as follows:			Accordingly, Directive 92/57/EEC is amended as follows:
124.	(1) Article 13 is replaced by the following:			(1) Article 13 is replaced by the following:
125.	"Article 13 Amendments to Annex IV			"Article 13 Amendments to Annex IV

³¹ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

³² Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
126.	The Commission is empowered to adopt delegated acts in accordance with Article 13a amending Annex IV in a technical way in order to take account of technical harmonisation and standardisation regarding temporary or mobile construction sites, as well as technical progress, changes in international regulations or specifications or knowledge in the field of temporary or mobile construction sites.		The Commission is empowered to adopt delegated acts in accordance with Article 13a introducing strictly technical amendments to [...] Annex IV [...] in order to take account of technical harmonisation and standardisation regarding temporary or mobile construction sites, as well as technical progress, changes in international regulations or specifications or knowledge in the field of temporary or mobile construction sites.	The Commission is empowered to adopt delegated acts in accordance with Article 13a <u>to make strictly technical amendments to</u> Annex IV in order to take account of technical harmonisation and standardisation regarding temporary or mobile construction sites, as well as technical progress, changes in international regulations or specifications or knowledge in the field of temporary or mobile construction sites.
127.	Where, in the case of imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 13b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	NB: depending on the outcome of the negotiations on urgency procedure, the following compromise wording proposal could be considered: <u>Where, in duly justified and exceptional cases of [possible] imminent and serious risks to workers' health and safety,</u>

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				<i><u>which can directly endanger their physical integrity or that of other persons, imperative grounds of urgency require to act in a very short timeframe, the procedure provided for in Article 13b shall apply to delegated acts adopted pursuant to this Article.</u></i> ³³ .
128.	(2) the following Articles 13a and 13b are inserted:		(2) the following Article [...] is inserted:	NB: the wording of introductory phrase depends on whether or not the urgency procedure will be kept in this Act
129.	<i>"Article 13a</i> Exercise of the delegation			<i>"Article 13a</i> Exercise of the delegation
130.	1. The power to adopt delegated acts is conferred on the			1. The power to adopt delegated acts is conferred on the

³³ This wording on the urgency procedure concerns in total 16 acts in the package (acts 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 23, 24, 25, 26, 28 and 100) and if it is agreed to keep the urgency procedure in those acts, this wording would apply to all of them.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Commission subject to the conditions laid down in this Article.			Commission subject to the conditions laid down in this Article.
131.	2. The power to adopt delegated acts referred to in Article 13 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 13 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ...[date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before</i>	2. The power to adopt delegated acts referred to in Article 13 shall be conferred on the Commission [] for a period of five years from .[date of entry into force of this amending Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>the end of each period.</i>		
132.	3. The delegation of power referred to in Article 13 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 13 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
133.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement on		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the <i>Interinstitutional Agreement of</i>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Better Law-Making of 13 April 2016 .			<i>13 April 2016</i> on Better Law-Making*.
134.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
135.	6. A delegated act adopted pursuant to Article 13 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the			6. A delegated act adopted pursuant to Article 13 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the

OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	initiative of the European Parliament or the Council.			initiative of the European Parliament or <i>of</i> the Council.
136.	<i>Article 13b</i> Urgency procedure		[...]	NB: depending on the outcome of negotiations on the urgency procedure, if agreed then the standard text of the provision, as proposed by the Commission, would be inserted
137.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and the Council shall state the reasons for the use of the urgency procedure.			
138.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 13a(6). In such a case, the Commission			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	shall repeal the act immediately following the notification of the decision to object by the European Parliament or the Council.			
139.	15. Council Directive 92/58/EEC of 24 June 1992 on the minimum requirements for the provision of safety and/or health signs at work (ninth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)³⁴			15. Council Directive 92/58/EEC of 24 June 1992 on the minimum requirements for the provision of safety and/or health signs at work (ninth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)³⁵
140.	In order to take account of technical harmonisation and standardisation, technical progress, changes in international regulations or specifications and knowledge with regard to safety and health signs at work, the power to adopt acts in accordance with Article		In order to take account of technical harmonisation and standardisation, technical progress, changes in international regulations or specifications and knowledge with regard to safety and health signs at work, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the	In order to take account of technical harmonisation and standardisation, technical progress, changes in international regulations or specifications and knowledge with regard to safety and health signs at work, the power to adopt acts in accordance with Article

³⁴ OJ L 245, 26.8.1992, p. 23.

³⁵ OJ L 245, 26.8.1992, p. 23.

<p>290 of the Treaty should be delegated to the Commission to amend the Annexes to Directive 92/58/EEC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>		<p>Commission to make strictly technical amendments to [...]the Annexes to Directive 92/58/EEC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p>290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to <i>make strictly technical amendments to</i> the Annexes to Directive 92/58/EEC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and <i>the</i> Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>
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141.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003 ³⁶ .	<i><u>In accordance with Council Decision of 22 July 2003³⁷ the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work..</u></i>
142.	Accordingly, Directive 92/58/EEC is amended as follows:			Accordingly, Directive 92/58/EEC is amended as follows:
143.	(1) Article 9 is replaced by the following:			(1) Article 9 is replaced by the following:
144.	<i>"Article 9</i> Amendments to the Annexes			<i>"Article 9</i> Amendments to the Annexes
145.	The Commission is empowered to adopt delegated acts in accordance with Article 9a		The Commission is empowered to adopt delegated acts in accordance with Article 9a introducing strictly	The Commission is empowered to adopt delegated acts in accordance with Article 9a <i>to</i>

³⁶ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

³⁷ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	amending the Annexes, in a technical way , in order to take account of technical harmonisation and standardisation concerning the design and manufacture of safety and/or health signs or devices at work, as well as technical progress, changes in international regulations or specifications and advances in knowledge in the field of safety and health signs or devices at work.		technical amendments to [...] the Annexes, [...], in order to take account of technical harmonisation and standardisation concerning the design and manufacture of safety and/or health signs or devices at work, as well as technical progress, changes in international regulations or specifications and advances in knowledge in the field of safety and health signs or devices at work.	<u>make strictly technical amendments to</u> the Annexes in order to take account of technical harmonisation and standardisation concerning the design and manufacture of safety and/or health signs or devices at work, as well as technical progress, changes in international regulations or specifications and advances in knowledge in the field of safety and health signs or devices at work.
146.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 9b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	NB: depending on the outcome of the negotiations on urgency procedure, the following compromise wording proposal could be considered: <u>Where, in duly justified and exceptional cases of [possible] imminent and serious risks to workers' health and safety, which can directly endanger their physical integrity or that</u>

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				<i><u>of other persons, imperative grounds of urgency require to act in a very short timeframe, the procedure provided for in Article 9b shall apply to delegated acts adopted pursuant to this Article.</u></i> ³⁸
147.	(2) the following Articles 9a and 9b are inserted:		(2) the following Article [...] is inserted:	NB: the wording of introductory phrase depends on whether or not the urgency procedure will be kept in this Act
148.	<i>"Article 9a</i> Exercise of the delegation			<i>"Article 9a</i> Exercise of the delegation
149.	1. The power to adopt delegated acts is conferred on the Commission subject to the			1. The power to adopt delegated acts is conferred on the Commission subject to the

³⁸ This wording on the urgency procedure concerns in total 16 acts in the package (acts 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 23, 24, 25, 26, 28 and 100) and if it is agreed to keep the urgency procedure in those acts, this wording would apply to all of them.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	conditions laid down in this Article.			conditions laid down in this Article.
150.	2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ...[date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
151.	3. The delegation of power referred to in Article 9 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 9 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
152.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement on		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making*.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Better Law-Making of 13 April 2016.			
153.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
154.	6. A delegated act adopted pursuant to Article 9 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the			6. A delegated act adopted pursuant to Article 9 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	initiative of the European Parliament or the Council.			initiative of the European Parliament or <i>of</i> the Council.
155.	<i>Article 9b</i> Urgency procedure		[...]	NB: depending on the outcome of negotiations on the urgency procedure, if agreed then the standard text of the provision, as proposed by the Commission, would be inserted
156.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and the Council shall state the reasons for the use of the urgency procedure.			1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.
157.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 9a(6). In such a case, the Commission			2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 10a(6). In such a case, the Commission

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	shall repeal the act immediately following the notification of the decision to object by the European Parliament or the Council.			shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.
158.	16. Council Directive 92/91/EEC of 3 November 1992 concerning the minimum requirements for improving the safety and health protection of workers in the mineral- extracting industries through drilling (eleventh individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)³⁹			16. Council Directive 92/91/EEC of 3 November 1992 concerning the minimum requirements for improving the safety and health protection of workers in the mineral- extracting industries through drilling (eleventh individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)⁴⁰
159.	In order to take account of technical harmonisation and standardisation, of technical progress, changes in international regulations or specifications and knowledge		In order to take account of technical harmonisation and standardisation, [...]technical progress, changes in international regulations or specifications and knowledge with regard to the mineral-extracting	In order to take account of technical harmonisation and standardisation, technical progress, changes in international regulations or specifications and knowledge

³⁹ OJ L 348, 28.11.1992, p. 9.

⁴⁰ OJ L 348, 28.11.1992, p. 9.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	<p>with regard to the mineral-extracting industries through drilling, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annex to Directive 92/91/EEC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to</p>		<p>industries through drilling, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] the Annex to Directive 92/91/EEC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p>with regard to the mineral-extracting industries through drilling, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to <i>make strictly technical amendments to</i> the Annex to Directive 92/91/EEC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and <i>the</i> Council receive all documents at the same time as Member States'</p>

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	meetings of Commission expert groups dealing with the preparation of delegated acts.			experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
160.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003⁴¹.	<u>In accordance with Council Decision of 22 July 2003⁴² the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work..</u>
161.	Accordingly, Directive 92/91/EEC is amended as follows:			Accordingly, Directive 92/91/EEC is amended as follows:
162.	(1) Article 11 is replaced by the following:			(1) Article 11 is replaced by the following:

⁴¹ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

⁴² Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
163.	"Article 11 Amendments to the Annex			"Article 11 Amendments to the Annex
164.	The Commission is empowered to adopt delegated acts in accordance with Article 11a amending the Annex, in a technical way , in order to take account of technical harmonisation and standardisation concerning the mineral-extracting industries through drilling, as well as technical progress, changes in international regulations or specifications and knowledge with regard to the mineral-extracting industries through drilling.		The Commission is empowered to adopt delegated acts in accordance with Article 11a introducing strictly technical amendments to [...] the Annex, [...], in order to take account of technical harmonisation and standardisation concerning the mineral-extracting industries through drilling, as well as technical progress, changes in international regulations or specifications and knowledge with regard to the mineral-extracting industries through drilling.	The Commission is empowered to adopt delegated acts in accordance with Article 11a <u>to make strictly technical amendments to</u> the Annex in order to take account of technical harmonisation and standardisation concerning the mineral-extracting industries through drilling, as well as technical progress, changes in international regulations or specifications and knowledge with regard to the mineral-extracting industries through drilling.
165.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 11b shall apply to		[...]"	NB: depending on the outcome of the negotiations on urgency procedure, the following compromise wording proposal could be considered:

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	delegated acts adopted pursuant to this Article.";			<i><u>Where, in duly justified and exceptional cases of [possible] imminent and serious risks to workers' health and safety, which can directly endanger their physical integrity or that of other persons, imperative grounds of urgency require to act in a very short timeframe, the procedure provided for in Article 11b shall apply to delegated acts adopted pursuant to this Article.</u></i> ⁴³
166.	(2) the following Articles 11a and 11b are inserted:		(2) the following Article [...] is inserted:	NB: the wording of introductory phrase depends on whether or not the urgency procedure will be kept in this Act

⁴³ This wording on the urgency procedure concerns in total 16 acts in the package (acts 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 23, 24, 25, 26, 28 and 100) and if it is agreed to keep the urgency procedure in those acts, this wording would apply to all of them.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
167.	"Article 11a Exercise of the delegation			"Article 11a Exercise of the delegation
168.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
169.	2. The power to adopt delegated acts referred to in 11 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an</i>	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>		
170.	3. The delegation of power referred to in Article 11 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 11 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
171.	4. Before adopting a delegated act, the Commission shall consult experts designated by		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in	4. Before adopting a delegated act, the Commission shall consult experts designated by

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	each Member State in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016 .		accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*.	each Member State in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making*.
172.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
173.	6. A delegated act adopted pursuant to Article 11 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the			6. A delegated act adopted pursuant to Article 11 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the

OJ L 123, 12.5.2016, p. 1."

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	Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.			Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or <u>of</u> the Council.
174.	<i>Article 11b</i> Urgency procedure		[...]	NB: depending on the outcome of negotiations on the urgency procedure, if agreed then the standard text of the provision, as proposed by the Commission, would be inserted.
175.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and the Council shall state the reasons for the use of the urgency procedure.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
176.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 11a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or the Council.			
177.	17. Council Directive 92/104/EEC of 3 December 1992 on the minimum requirements for improving the safety and health protection of workers in surface and underground mineral-extracting industries (twelfth individual Directive within the meaning of Article			17. Council Directive 92/104/EEC of 3 December 1992 on the minimum requirements for improving the safety and health protection of workers in surface and underground mineral-extracting industries (twelfth individual Directive within the meaning of Article

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	16 (1) of Directive 89/391/EEC ⁴⁴			16 (1) of Directive 89/391/EEC ⁴⁵
178.	In order to take account of technical harmonisation and standardisation, technical progress, changes in international regulations or specifications and new findings concerning the surface and underground mineral-extracting industries, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annex to Directive 92/104/EEC in a technical way . It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in		In order to take account of technical harmonisation and standardisation, technical progress, changes in international regulations or specifications and new findings concerning the surface and underground mineral-extracting industries, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] the Annex to Directive 92/104/EEC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional	In order to take account of technical harmonisation and standardisation, technical progress, changes in international regulations or specifications and new findings concerning the surface and underground mineral-extracting industries, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to <i>make strictly technical amendments to</i> the Annex to Directive 92/104/EEC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including

⁴⁴ OJ L 404, 31.12.1992, p. 10.

⁴⁵ OJ L 404, 31.12.1992, p. 10.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	at expert level, and that those consultations be conducted in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and <i>the</i> Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
179.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in	<i><u>In accordance with Council Decision of 22 July 2003⁴⁷ the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation</u></i>

⁴⁷ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
			accordance with Council Decision of 22 July 2003 ⁴⁶ .	<i><u>and evaluation of activities in the fields of safety and health at work..</u></i>
180.	Accordingly, Directive 92/104/EEC is amended as follows:			Accordingly, Directive 92/104/EEC is amended as follows:
181.	(1) Article 11 is replaced by the following:			(1) Article 11 is replaced by the following:
182.	<i>"Article 11</i> Amendments to the Annex			<i>"Article 11</i> Amendments to the Annex
183.	The Commission is empowered to adopt delegated acts in accordance with Article 11a amending the Annex , in a technical way, in order to take account of technical harmonisation and standardisation concerning the surface and underground mineral-extracting industries, as well as technical progress,		The Commission is empowered to adopt delegated acts in accordance with Article 11a introducing strictly technical amendments to [...] the Annex, [...] in order to take account of technical harmonisation and standardisation concerning the surface and underground mineral-extracting industries, as well as technical progress, changes in international regulations or specifications and new	The Commission is empowered to adopt delegated acts in accordance with Article 11a <i><u>to make strictly technical amendments to</u></i> the Annex in order to take account of technical harmonisation and standardisation concerning the surface and underground mineral-extracting industries, as well as technical progress,

⁴⁶ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

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	changes in international regulations or specifications and new findings concerning the surface or underground mineral-extracting industries.		findings concerning the surface or underground mineral-extracting industries.	changes in international regulations or specifications and new findings concerning the surface or underground mineral-extracting industries.
184.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 11b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	<p>NB: depending on the outcome of the negotiations on urgency procedure, the following compromise wording proposal could be considered:</p> <p><i><u>Where, in duly justified and exceptional cases of [possible] imminent and serious risks to workers' health and safety, which can directly endanger their physical integrity or that of other persons, imperative grounds of urgency require to act in a very short timeframe, the procedure provided for in Article 11b shall apply to</u></i></p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				<i><u>delegated acts adopted pursuant to this Article.</u></i> ⁴⁸
185.	(2) the following Articles 11a and 11b are inserted:		(2) the following Article [...] is inserted:	NB: the wording of introductory phrase depends on whether or not the urgency procedure will be kept in this Act
186.	<i>"Article 11a</i> Exercise of the delegation			<i>"Article 11a</i> Exercise of the delegation
187.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

⁴⁸ This wording on the urgency procedure concerns in total 16 acts in the package (acts 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 23, 24, 25, 26, 28 and 100) and if it is agreed to keep the urgency procedure in those acts, this wording would apply to all of them.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
188.	<p>2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].</p>	<p>2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ...[date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i></p>	<p>2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</p>	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
189.	3. The delegation of power referred to in Article 11 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 11 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
190.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016 .		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making*.
191.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

* OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
192.	6. A delegated act adopted pursuant to Article 11 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.			6. A delegated act adopted pursuant to Article 11 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or <i>of</i> the Council.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
193.	<i>Article 11b</i> Urgency procedure		[...]	NB: depending on the outcome of negotiations on the urgency procedure, if agreed then the standard text of the provision, as proposed by the Commission, would be inserted.
194.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and the Council shall state the reasons for the use of the urgency procedure.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
195.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 11a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or the Council.			
196.	19. Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work⁴⁹			19. Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work⁵⁰
197.	In order to achieve adequate protection of young people at work and to take account of technical progress, changes in international standards or specifications and new findings,		In order to achieve adequate protection of young people at work and to take account of technical progress, changes in international [...] rules or specifications and [...] advances in knowledge , the power to adopt acts in	In order to achieve adequate protection of young people at work and to take account of technical progress, changes in international <u>rules or specifications and advances in</u>

⁴⁹ OJ L 216, 20.8.1994, p. 12.

⁵⁰ OJ L 216, 20.8.1994, p. 12.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	<p>the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annex to Directive 94/33/EC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert</p>		<p>accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] the Annex to Directive 94/33/EC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p><i>knowledge</i>, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to <i>make strictly technical amendments to</i> the Annex to Directive 94/33/EC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and <i>the</i> Council receive all documents at the same time as Member States' experts, and their experts systematically have access to</p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	groups dealing with the preparation of delegated acts.			meetings of Commission expert groups dealing with the preparation of delegated acts.
198.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003⁵¹.	<u>In accordance with Council Decision of 22 July 2003⁵² the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work.</u>
199.	Accordingly, Directive 94/33/EC is amended as follows:			Accordingly, Directive 94/33/EC is amended as follows:
200.	(1) Article 15 is replaced by the following:			(1) Article 15 is replaced by the following:
201.	"Article 15 Amendments of the Annex			"Article 15 Amendments of the Annex

⁵¹ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

⁵² Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
202.	The Commission is empowered to adopt delegated acts in accordance with Article 15a amending the Annex, in a technical way , in the light of technical progress, changes in international rules or specifications and advances in knowledge concerning the protection of young people at work.";		The Commission is empowered to adopt delegated acts in accordance with Article 15a introducing strictly technical amendments to [...] the Annex, [...] in the light of technical progress, changes in international rules or specifications and advances in knowledge concerning the protection of young people at work.";	The Commission is empowered to adopt delegated acts in accordance with Article 15a <i>to make strictly technical amendments to</i> the Annex, in the light of technical progress, changes in international rules or specifications and advances in knowledge concerning the protection of young people at work.";
203.	(2) the following Article 15a is inserted:		(2) the following Article [...]is inserted:	(2) the following <i>Article is</i> inserted:
204.	<i>"Article 15a</i> Exercise of the delegation			<i>"Article 15a</i> Exercise of the delegation
205.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
206.	2. The power to adopt delegated acts referred to in Article 15 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 15 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	2. The power to adopt delegated acts referred to in Article 15 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
207.	3. The delegation of power referred to in Article 15 may be			3. The delegation of power referred to in Article 15 may be

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	<p>revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.</p>			<p>revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.</p>
208.	<p>4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016.</p>		<p>4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*.</p>	<p>4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the <i>Interinstitutional Agreement of <u>13 April 2016</u></i> on Better Law-Making*.</p>

OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
209.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
210.	6. A delegated act adopted pursuant to Article 15 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.			6. A delegated act adopted pursuant to Article 15 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or <i>of</i> the Council.
211.	20. Council Directive 98/24/EC of 7 April 1998 on the			20. Council Directive 98/24/EC of 7 April 1998 on the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	protection of the health and safety of workers from the risks related to chemical agents at work (fourteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)⁵³			protection of the health and safety of workers from the risks related to chemical agents at work (fourteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)⁵⁴
212.	In order to achieve adequate protection of workers from risks to their health and safety and to take account of technical harmonisation and standardisation, technical progress, changes in international standards or specifications and new findings concerning chemical agents, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to Directive 98/24/EC, in a technical way , and to		In order to achieve adequate protection of workers from risks to their health and safety and to take account of technical harmonisation and standardisation, technical progress, changes in international standards or specifications and new findings concerning chemical agents, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] the Annexes to Directive 98/24/EC [...], and to supplement that Directive by establishing or revising indicative occupational exposure limit values. It	In order to achieve adequate protection of workers from risks to their health and safety and to take account of technical harmonisation and standardisation, technical progress, changes in international standards or specifications and new findings concerning chemical agents, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to <i>make strictly technical</i>

53 OJ L 131, 5.5.1998, p. 11.

54 OJ L 131, 5.5.1998, p. 11.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	<p>supplement that Directive by establishing or revising indicative occupational exposure limit values. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>		<p>is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p><i>amendments to</i> the Annexes to Directive 98/24/EC and to supplement that Directive by establishing or revising indicative occupational exposure limit values. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and <i>the</i> Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert</p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				groups dealing with the preparation of delegated acts.
213.	Accordingly, Directive 98/24/EC is amended as follows:			Accordingly, Directive 98/24/EC is amended as follows:
214.	(1) in Article 3(2), the second subparagraph is replaced by the following:			(1) in Article 3(2), the second subparagraph is replaced by the following:
215.	“The Commission is empowered to adopt delegated acts in accordance with Article 12a concerning the establishment or revision of indicative occupational exposure limit values, taking into account the availability of measurement techniques.”	“The Commission is empowered to adopt delegated acts in accordance with Article 12a <i>to supplement this Directive by establishing or revising</i> indicative occupational exposure limit values, taking into account the availability of measurement techniques.”	"The Commission is empowered to adopt delegated acts in accordance with Article 12a in order to supplement this Directive by establishing or revising the [...] indicative occupational exposure limit values referred to in the first subparagraph of this paragraph, taking into account the availability of measurement techniques.	"The Commission is empowered to adopt delegated acts in accordance with Article 12a <i>in order to supplement this Directive by establishing or revising the</i> indicative occupational exposure limit values <i>referred to in the first subparagraph of this paragraph,</i> taking into account the availability of measurement techniques.
216.	Member States shall keep workers' and employers' organisations informed of			Member States shall keep workers' and employers' organisations informed of

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	indicative occupational exposure limit values set at Union level.			indicative occupational exposure limit values set at Union level.
217.	Where, in the case of exceptional possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 12b shall apply to delegated acts adopted pursuant to this paragraph."		[...]"	NB: depending on the outcome of the negotiations on urgency procedure, the following compromise wording proposal could be considered: <i><u>Where, in duly justified and exceptional cases of [possible] imminent and serious risks to workers' health and safety, which can directly endanger their physical integrity or that of other persons, imperative grounds of urgency require to act in a very short timeframe, the procedure provided for in Article 12b shall apply to delegated acts adopted pursuant to this Article.</u>⁵⁵.</i>

⁵⁵ This wording on the urgency procedure concerns in total 16 acts in the package (acts 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 23, 24, 25, 26, 28 and 100) and if it is agreed to keep the urgency procedure in those acts, this wording would apply to all of them.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
218.	(2) in Article 12, paragraph 1 is replaced by the following:			(2) in Article 12, paragraph 1 is replaced by the following:
219.	"1. The Commission is empowered to adopt delegated acts in accordance with Article 12a amending the Annexes, in a technical way , in order to take account of technical harmonisation and standardisation concerning chemical agents, as well as technical progress, changes in international standards or specifications and new findings with regard to chemical agents.		"1. The Commission is empowered to adopt delegated acts in accordance with Article 12a introducing strictly technical amendments to [...] the Annexes, [...] in order to take account of technical harmonisation and standardisation concerning chemical agents, as well as technical progress, changes in international standards or specifications and new findings with regard to chemical agents.	"1. The Commission is empowered to adopt delegated acts in accordance with Article 12a <u>to make strictly technical amendments to</u> the Annexes in order to take account of technical harmonisation and standardisation concerning chemical agents, as well as technical progress, changes in international standards or specifications and new findings with regard to chemical agents.
220.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 12b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	NB: depending on the outcome of the negotiations on urgency procedure, the following compromise wording proposal could be considered: <u>Where, in duly justified and exceptional cases of [possible] imminent and serious risks to</u>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				<i><u>workers' health and safety, which can directly endanger their physical integrity or that of other persons, imperative grounds of urgency require to act in a very short timeframe, the procedure provided for in Article 12b shall apply to delegated acts adopted pursuant to this Article.</u></i> ⁵⁶ .
221.	(3) the following Articles 12a and 12b are inserted:		(3) the following Article [...] is inserted:	NB: the wording of introductory phrase depends on whether or not the urgency procedure will be kept in this Act.
222.	"Article 12a Exercise of the delegation			"Article 12a Exercise of the delegation

⁵⁶ This wording on the urgency procedure concerns in total 16 acts in the package (acts 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 23, 24, 25, 26, 28 and 100) and if it is agreed to keep the urgency procedure in those acts, this wording would apply to all of them.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
223.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
224.	<p>2. The power to adopt delegated acts referred to in Article 3(2) and Article 12(1) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].</p>	<p>2. The power to adopt delegated acts referred to in Article Article 3(2) and Article 12(1) shall be conferred on the Commission for a period of five years from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i></p>	<p>2. The power to adopt delegated acts referred to in the second subparagraph of Article 3(2) and Article 12(1) shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</p>	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
225.	<p>3. The delegation of power referred to in Article 3(2) and Article 12(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.</p>		<p>3. The delegation of power referred to in the second subparagraph of Article 3(2) and Article 12(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.</p>	<p>3. The delegation of power referred to in <u>the second subparagraph of</u> Article 3(2) and <u>in</u> Article 12(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.</p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
226.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016 .		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making*.
227.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
228.	6. A delegated act adopted pursuant to Article 3(2) and Article 12(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.		6. A delegated act adopted pursuant to the second subparagraph of Article 3(2) and Article 12(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.	6. A delegated act adopted pursuant to <i>the second subparagraph of</i> Article 3(2) and Article 12(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or <i>of</i> the Council.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
229.	<i>Article 12b</i> Urgency procedure		[...]	NB: depending on the outcome of negotiations on the urgency procedure, if agreed then the standard text of the provision, as proposed by the Commission, would be inserted.
230.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and the Council shall state the reasons for the use of the urgency procedure.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
231.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 12a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or the Council.			
232.	23. Directive 2002/44/EC of the European Parliament and of the Council of 25 June 2002 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibration) (sixteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)⁵⁷			23. Directive 2002/44/EC of the European Parliament and of the Council of 25 June 2002 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibration) (sixteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)⁵⁸

⁵⁷ OJ L 177, 6.7.2002, p. 13.

⁵⁸ OJ L 177, 6.7.2002, p. 13.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
233.	<p>In order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and workplaces, technical progress, changes in harmonised European standards or specifications and new findings concerning mechanical vibration, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annex to Directive 2002/44/EC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April</p>		<p>In order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and workplaces, technical progress, changes in harmonised European standards or specifications and new findings concerning mechanical vibration, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] the Annex to Directive 2002/44/EC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council</p>	<p>In order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and workplaces, technical progress, changes in harmonised European standards or specifications and new findings concerning mechanical vibration, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to <i>make strictly technical amendments to</i> the Annex to Directive 2002/44/EC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the</p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	<i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and <u>the</u> Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
234.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003⁵⁹.	<i><u>In accordance with Council Decision of 22 July 2003⁶⁰ the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work.</u></i>

⁵⁹ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

⁶⁰ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

2016/0400(COD) - **TABLE_ANNEX TO REGULATION**
VERSION_31.01.2019

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
235.	Accordingly, Directive 2002/44/EC is amended as follows:			Accordingly, Directive 2002/44/EC is amended as follows:
236.	(1) Article 11 is replaced by the following:			(1) Article 11 is replaced by the following:
237.	<i>"Article 11</i> Amendments to the Annex			<i>"Article 11</i> Amendments to the Annex
238.	The Commission is empowered to adopt delegated acts in accordance with Article 11a amending the Annex, in a technical way , in order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and workplaces, technical progress, changes in harmonised European standards or specifications and new findings concerning mechanical vibration.		The Commission is empowered to adopt delegated acts in accordance with Article 11a introducing strictly technical amendments to [...] the Annex, [...] in order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and workplaces, technical progress, changes in harmonised European standards or specifications and new findings concerning mechanical vibration.	The Commission is empowered to adopt delegated acts in accordance with Article 11a <u>to make strictly technical amendments to</u> the Annex in order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and workplaces, technical progress, changes in harmonised European standards or specifications and new findings concerning mechanical vibration.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
239.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 11b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	NB: depending on the outcome of the negotiations on urgency procedure, the following compromise wording proposal could be considered: <i><u>Where, in duly justified and exceptional cases of [possible] imminent and serious risks to workers' health and safety, which can directly endanger their physical integrity or that of other persons, imperative grounds of urgency require to act in a very short timeframe, the procedure provided for in Article 11b shall apply to delegated acts adopted pursuant to this Article.</u></i> ⁶¹
240.	(2) the following Articles 11a and 11b are inserted:		(2) the following Article [...] is inserted:	NB: the wording of introductory phrase depends

⁶¹ This wording on the urgency procedure concerns in total 16 acts in the package (acts 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 23, 24, 25, 26, 28 and 100) and if it is agreed to keep the urgency procedure in those acts, this wording would apply to all of them.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				on whether or not the urgency procedure will be kept in this Act.
241.	"Article 11a Exercise of the delegation			"Article 11a Exercise of the delegation
242.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
243.	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than</i>	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the	

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		<i>nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	European Parliament or the Council opposes such extension not later than three months before the end of each period.	
244.	3. The delegation of power referred to in Article 11 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the			3. The delegation of power referred to in Article 11 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	validity of any delegated acts already in force.			validity of any delegated acts already in force.
245.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016 ¹ .		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making*.
246.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
247.	6. A delegated act adopted pursuant to Article 11 shall enter into force only if no objection has been expressed either by the European Parliament or the			6. A delegated act adopted pursuant to Article 11 shall enter into force only if no objection has been expressed either by the European Parliament or the

¹ OJ L 123, 12.5.2016, p. 1.";

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	Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.			Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or <i>of</i> the Council.
248.	<i>Article 11b</i> Urgency procedure		[...]	NB: depending on the outcome of negotiations on the urgency procedure, if agreed then the standard text of the provision, as proposed by the Commission, would be inserted.
249.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	The notification of a delegated act to the European Parliament and the Council shall state the reasons for the use of the urgency procedure.			
250.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 11a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or the Council.			
251.	(3) Article 12 is deleted.			(3) Article 12 is deleted.
252.	24. Directive 2003/10/EC of the European Parliament and of the Council of 6 February 2003 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical			24. Directive 2003/10/EC of the European Parliament and of the Council of 6 February 2003 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	agents (noise) (Seventeenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)⁶²			agents (noise) (Seventeenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)⁶³
253.	In order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and workplaces, technical progress, changes in harmonised European standards or specifications and new findings concerning noise, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend, in a technical way , Directive 2003/10/EC. It is of particular importance that the Commission carry out appropriate		In order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and workplaces, technical progress, changes in harmonised European standards or specifications and new findings concerning noise, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] Directive 2003/10/EC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted	In order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and workplaces, technical progress, changes in harmonised European standards or specifications and new findings concerning noise, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to <u>make strictly technical amendments to</u> Directive 2003/10/EC. It is of particular

⁶² OJ L 042, 15.2.2003, p. 38.

⁶³ OJ L 042, 15.2.2003, p. 38.

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	consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and <i>the</i> Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
254.			It is recalled that the Commission is assisted by the Advisory Committee	<i>In accordance with Council Decision of 22 July 2003⁶⁵ the</i>

⁶⁵ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

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			on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003 ⁶⁴ .	<u><i>Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work.</i></u>
255.	Accordingly, Directive 2003/10/EC is amended as follows:			Accordingly, Directive 2003/10/EC is amended as follows:
256.	(1) Article 12 is replaced by the following:			(1) Article 12 is replaced by the following:
257.	<i>"Article 12</i> Amendments to the Directive			<i>"Article 12</i> Amendments to the Directive
258.	The Commission is empowered to adopt delegated acts in accordance with Article 12a amending, in a technical way, this Directive in order to take account of technical harmonisation and		The Commission is empowered to adopt delegated acts in accordance with Article 12a introducing strictly technical amendments to [...] this Directive in order to take account of technical harmonisation and standardisation with regard to the	The Commission is empowered to adopt delegated acts in accordance with Article 12a <u>to make strictly technical amendments to</u> this Directive in order to take account of technical harmonisation and

⁶⁴ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	standardisation with regard to the design, building, manufacture or construction of work equipment and workplaces, technical progress, changes in harmonised European standards or specifications and new findings concerning noise.		design, building, manufacture or construction of work equipment and workplaces, technical progress, changes in harmonised European standards or specifications and new findings concerning noise.	standardisation with regard to the design, building, manufacture or construction of work equipment and workplaces, technical progress, changes in harmonised European standards or specifications and new findings concerning noise.
259.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 12b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	NB: depending on the outcome of the negotiations on urgency procedure, the following compromise wording proposal could be considered: <i><u>Where, in duly justified and exceptional cases of [possible] imminent and serious risks to workers' health and safety, which can directly endanger their physical integrity or that of other persons, imperative grounds of urgency require to act in a very short timeframe, the procedure provided for in Article12b shall apply to</u></i>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				<i><u>delegated acts adopted pursuant to this Article.</u></i> ⁶⁶
260.	(2) the following Articles 12a and 12b are inserted:		(2) the following Article [...] is inserted:	NB: the wording of introductory phrase depends on whether or not the urgency procedure will be kept in this Act.
261.	<i>"Article 12a</i> Exercise of the delegation			<i>"Article 12a</i> Exercise of the delegation
262.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
263.	2. The power to adopt delegated acts referred to in Article 12 shall be conferred on	2. The power to adopt delegated acts referred to in Article 12 shall be	2. The power to adopt delegated acts referred to in Article 12 shall be conferred on the Commission [...] for	

⁶⁶ This wording on the urgency procedure concerns in total 16 acts in the package (acts 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 23, 24, 25, 26, 28 and 100) and if it is agreed to keep the urgency procedure in those acts, this wording would apply to all of them.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
264.	3. The delegation of power referred to in Article 12 may be revoked at any time by the European Parliament or by the Council. A decision to revoke			3. The delegation of power referred to in Article 12 may be revoked at any time by the European Parliament or by the Council. A decision to revoke

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
265.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016 ¹ .		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making*.
266.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to

¹ OJ L 123, 12.5.2016, p. 1.";

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	the European Parliament and to the Council.			the European Parliament and to the Council.
267.	6. A delegated act adopted pursuant to Article 12 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.			6. A delegated act adopted pursuant to Article 12 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or <i>of</i> the Council.
268.	<i>Article 12b</i> Urgency procedure		[...]	NB: depending on the outcome of negotiations on the urgency procedure, if agreed then the standard text of the provision, as proposed by the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				Commission, would be inserted.
269.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and the Council shall state the reasons for the use of the urgency procedure.			
270.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 12a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or the Council.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
271.	(3) Article 13 is deleted.			(3) Article 13 is deleted.
272.	25. Directive 2004/37/EC of the European Parliament and of the Council of 29 April 2004 on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Sixth individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC)⁶⁷			25. Directive 2004/37/EC of the European Parliament and of the Council of 29 April 2004 on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Sixth individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC)⁶⁸
273.	In order to take account of technical progress, changes in international regulations or specifications and new findings with regard to carcinogens or mutagens, the power to adopt acts in accordance with Article 290 of the Treaty Union should be delegated to the Commission to amend Annex II to Directive		In order to take account of technical progress, changes in international regulations or specifications and new findings with regard to carcinogens or mutagens, the power to adopt acts in accordance with Article 290 of the Treaty Union should be delegated to the Commission to make strictly technical amendments to [...] Annex II to Directive 2004/37/EC [...]. It is of	In order to take account of technical progress, changes in international regulations or specifications and new findings with regard to carcinogens or mutagens, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the

⁶⁷ OJ L 158, 30.4.2004, p. 50.

⁶⁸ OJ L 158, 30.4.2004, p. 50.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	<p>2004/37/EC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>		<p>particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p>Commission to <i>make strictly technical amendments to</i> Annex II to Directive 2004/37/EC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and <i>the</i> Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
274.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003 ⁶⁹ .	<i><u>In accordance with Council Decision of 22 July 2003⁷⁰ the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work.</u></i>
275.	Accordingly, Directive 2004/37/EC is amended as follows:			Accordingly, Directive 2004/37/EC is amended as follows:
276.	(1) Article 17 is replaced by the following:			(1) Article 17 is replaced by the following:
277.	"Article 17 Amendment of Annex II			"Article 17 Amendment of Annex II
278.	The Commission is empowered to adopt delegated acts in accordance with Article 17a		The Commission is empowered to adopt delegated acts in accordance with Article 17a introducing strictly	The Commission is empowered to adopt delegated acts in accordance with Article 17a <u>to</u>

⁶⁹ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

⁷⁰ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	amending Annex II, in a technical way, in order to take account of technical progress, changes in international regulations or specifications and new findings with regard to carcinogens or mutagens.		technical amendments to [...] Annex II, [...] in order to take account of technical progress, changes in international regulations or specifications and new findings with regard to carcinogens or mutagens.	<i>make strictly technical amendments to</i> Annex II in order to take account of technical progress, changes in international regulations or specifications and new findings with regard to carcinogens or mutagens.
279.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 17b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	NB: depending on the outcome of the negotiations on urgency procedure, the following compromise wording proposal could be considered: <i><u>Where, in duly justified and exceptional cases of [possible] imminent and serious risks to workers' health and safety, which can directly endanger their physical integrity or that of other persons, imperative grounds of urgency require to act in a very short timeframe, the procedure provided for in Article17b shall apply to</u></i>

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				<i><u>delegated acts adopted pursuant to this Article.</u></i> ⁷¹
280.	(2) the following Articles 17a and 17b are inserted:		(2) the following Article [...] is inserted:	NB: the wording of introductory phrase depends on whether or not the urgency procedure will be kept in this Act.
281.	<i>"Article 17a</i> Exercise of the delegation			<i>"Article 17a</i> Exercise of the delegation
282.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
283.	2. The power to adopt delegated acts referred to in Article 17 shall be conferred on	2. The power to adopt delegated acts referred to in Article 17 shall be	2. The power to adopt delegated acts referred to in Article 17 shall be conferred on the Commission [...] for	

⁷¹ This wording on the urgency procedure concerns in total 16 acts in the package (acts 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 23, 24, 25, 26, 28 and 100) and if it is agreed to keep the urgency procedure in those acts, this wording would apply to all of them.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
284.	3. The delegation of power referred to in Article 17 may be revoked at any time by the European Parliament or by the Council. A decision to revoke			3. The delegation of power referred to in Article 17 may be revoked at any time by the European Parliament or by the Council. A decision to revoke

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
285.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016 .		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the <i>Interinstitutional Agreement of <u>13 April 2016</u></i> on Better Law-Making.
286.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to

* OJ L 123, 12.5.2016, p. 1."

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	the European Parliament and to the Council.			the European Parliament and to the Council.
287.	6. A delegated act adopted pursuant to Article 17 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.			6. A delegated act adopted pursuant to Article 17 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or <i>of</i> the Council.
288.	<i>Article 17b</i> Urgency procedure		[...]	NB: depending on the outcome of negotiations on the urgency procedure, if agreed then the standard text of the provision, as proposed by the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				Commission, would be inserted.
289.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and the Council shall state the reasons for the use of the urgency procedure.			
290.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 17a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or the Council.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
291.	26. Directive 2006/25/EC of the European Parliament and of the Council of 5 April 2006 on the minimum health and safety requirements regarding the exposure of workers to risks arising from physical agents (artificial optical radiation) (19th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)⁷²			26. Directive 2006/25/EC of the European Parliament and of the Council of 5 April 2006 on the minimum health and safety requirements regarding the exposure of workers to risks arising from physical agents (artificial optical radiation) (19th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)⁷³
292.	In order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment or workplaces, technical progress, changes in harmonised European standards or international specifications		In order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment or workplaces, technical progress, changes in harmonised European standards or international specifications and new scientific findings concerning occupational	In order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment or workplaces, technical progress, changes in harmonised European standards or international specifications

⁷² OJ L 114, 27.4.2006, p. 38.

⁷³ OJ L 114, 27.4.2006, p. 38.

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	<p>and new scientific findings concerning occupational exposure to optical radiation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to Directive 2006/25/EC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts</p>		<p>exposure to optical radiation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] the Annexes to Directive 2006/25/EC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p>and new scientific findings concerning occupational exposure to optical radiation, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to make strictly technical amendments to the Annexes to Directive 2006/25/EC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and <i>the</i> Council receive all documents at</p>

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	systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
293.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003⁷⁴.	<u>In accordance with Council Decision of 22 July 2003⁷⁵ the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work.</u>
294.	Accordingly, Directive 2006/25/EC is amended as follows:			Accordingly, Directive 2006/25/EC is amended as follows:
295.	(1) Article 10 is replaced by the following:			(1) Article 10 is replaced by the following:

⁷⁴ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

⁷⁵ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
296.	"Article 10 Amendment of the Annexes			"Article 10 Amendment of the Annexes
297.	The Commission is empowered to adopt delegated acts in accordance with Article 10a amending the Annexes, in a technical way , in order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment or workplaces, technical progress, changes in harmonised European standards or international specifications and new scientific findings concerning occupational exposure to optical radiation.		The Commission is empowered to adopt delegated acts in accordance with Article 10a introducing strictly technical amendments to [...] the Annexes, [...] in order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment or workplaces, technical progress, changes in harmonised European standards or international specifications and new scientific findings concerning occupational exposure to optical radiation. Those amendments may not result in a modification of the exposure limit values set out in the Annexes.	The Commission is empowered to adopt delegated acts in accordance with Article 10a <u>to make strictly technical amendments to</u> the Annexes in order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment or workplaces, technical progress, changes in harmonised European standards or international specifications and new scientific findings concerning occupational exposure to optical radiation. <u>Those amendments may not result in a modification of the exposure limit values set out in the Annexes.</u>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
298.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 10b shall apply to delegated acts adopted pursuant to this Article."		[...]"	NB: depending on the outcome of the negotiations on urgency procedure, the following compromise wording proposal could be considered: <i><u>Where, in duly justified and exceptional cases of [possible] imminent and serious risks to workers' health and safety, which can directly endanger their physical integrity or that of other persons, imperative grounds of urgency require to act in a very short timeframe, the procedure provided for in Article 10b shall apply to delegated acts adopted pursuant to this Article.</u></i> ⁷⁶
299.	(2) the following Articles 10a and 10b are inserted:		(2) the following Article [...] is inserted:	NB: the wording of introductory phrase depends

⁷⁶ This wording on the urgency procedure concerns in total 16 acts in the package (acts 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 23, 24, 25, 26, 28 and 100) and if it is agreed to keep the urgency procedure in those acts, this wording would apply to all of them.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				on whether or not the urgency procedure will be kept in this Act.
300.	"Article 10a Exercise of the delegation			"Article 10a Exercise of the delegation
301.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
302.	2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for <i>an</i> <i>indeterminate</i> period of <i>time</i> from [date of entry into force of this <i>Omnibus</i>].	2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than</i>	2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	European Parliament or the Council opposes such extension not later than three months before the end of each period.	
303.	3. The delegation of power referred to in Article 10 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the			3. The delegation of power referred to in Article 10 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the

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	validity of any delegated acts already in force.			validity of any delegated acts already in force.
304.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making b .		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making*.
305.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
306.	6. A delegated act adopted pursuant to Article 10 shall enter into force only if no objection has been expressed either by the European Parliament or the			6. A delegated act adopted pursuant to Article 10 shall enter into force only if no objection has been expressed either by the European Parliament or the

OJ L 123, 12.5.2016, p. 1.";

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.			Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or <i>of</i> the Council.
307.	<i>Article 10b</i> Urgency procedure		[...]	NB: depending on the outcome of negotiations on the urgency procedure, if agreed then the standard text of the provision, as proposed by the Commission, would be inserted.
308.	1. Delegated acts adopted under this Article shall enter into force			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and the Council shall state the reasons for the use of the urgency procedure.			
309.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 10a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or the Council.			
310.	(3) Article 11 is deleted.			(3) Article 11 is deleted.
311.	28. Directive 2009/148/EC of the European Parliament and of the Council of 30 November			28. Directive 2009/148/EC of the European Parliament and of the Council of 30 November

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	2009 on the protection of workers from the risks related to exposure to asbestos at work⁷⁷			2009 on the protection of workers from the risks related to exposure to asbestos at work⁷⁸
312.	In order to take account of technical progress, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annex I to Directive 2009/148/EC in a technical way . It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April		In order to take account of technical progress, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annex I to Directive 2009/148/EC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council	In order to take account of technical progress, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend Annex I to Directive 2009/148/EC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-

⁷⁷ OJ L 330, 16.12.2009, p. 28.

⁷⁸ OJ L 330, 16.12.2009, p. 28.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and <u>the</u> Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
313.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003⁷⁹.	<i><u>In accordance with Council Decision of 22 July 2003⁸⁰ the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work.</u></i>

⁷⁹ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

⁸⁰ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
314.	Accordingly, Directive 2009/148/EC is amended as follows:			Accordingly, Directive 2009/148/EC is amended as follows:
315.	(1) Article 9 is deleted;			(1) Article 9 is deleted;
316.	(2) in Article 18, paragraph 2 is replaced by the following:			(2) in Article 18, paragraph 2 is replaced by the following:
317.	"2. An assessment of each worker's state of health must be available prior to the beginning of exposure to dust arising from asbestos or materials containing asbestos at the place of work.			"2. An assessment of each worker's state of health must be available prior to the beginning of exposure to dust arising from asbestos or materials containing asbestos at the place of work.
318.	That assessment shall include a specific examination of the chest. Annex I gives practical recommendations to which the Member States may refer for the clinical surveillance of workers. The Commission is empowered to adopt delegated acts in accordance with Article 18a amending Annex I, in a		That assessment shall include a specific examination of the chest. Annex I gives practical recommendations to which the Member States may refer for the clinical surveillance of workers. The Commission is empowered to adopt delegated acts in accordance with	That assessment shall include a specific examination of the chest. Annex I gives practical recommendations to which the Member States may refer for the clinical surveillance of workers. The Commission is empowered to adopt delegated acts in accordance with Article 18a

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	technical way , to adapt it to technical progress.		Article 18a amending Annex I, [...] to adapt it to technical progress.	amending Annex I to adapt it to technical progress.
319.	Where, in the case of possible imminent risks to workers' health and safety arising from exposure to asbestos at work, imperative grounds of urgency so require, the procedure provided for in Article 18b shall apply to delegated acts adopted pursuant to this paragraph.		[...]	NB: depending on the outcome of the negotiations on urgency procedure, the following compromise wording proposal could be considered: <i><u>Where, in duly justified and exceptional cases of [possible] imminent and serious risks to workers' health and safety, which can directly endanger their physical integrity or that of other persons, imperative grounds of urgency require to act in a very short timeframe, the procedure provided for in Article 18b shall apply to delegated acts adopted pursuant to this Article.</u>⁸¹</i>

⁸¹ This wording on the urgency procedure concerns in total 16 acts in the package (acts 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 23, 24, 25, 26, 28 and 100) and if it is agreed to keep the urgency procedure in those acts, this wording would apply to all of them.

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320.	A new assessment must be available at least once every 3 years for as long as exposure continues.			A new assessment must be available at least once every 3 years for as long as exposure continues.
321.	An individual health record shall be established in accordance with national laws and/or practices for each worker referred to in the first subparagraph.";			An individual health record shall be established in accordance with national laws and/or practices for each worker referred to in the first subparagraph.";
322.	(3) the following Articles 18a and 18b are inserted:		(3) the following Article [...] 18a [...] is [...] inserted:	NB: the wording of introductory phrase depends on whether or not the urgency procedure will be kept in this Act.
323.	" <i>Article 18a</i>			" <i>Article 18a</i>
324.	1. The power to adopt delegated acts is conferred on the Commission subject to the			1. The power to adopt delegated acts is conferred on the Commission subject to the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	conditions laid down in this Article.			conditions laid down in this Article.
325.	2. The power to adopt delegated acts referred to in Article 18(2) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 18 (2) shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	2. The power to adopt delegated acts referred to in Article 18(2) shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
326.	3. The delegation of power referred to in Article 18(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 18(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
327.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement on		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making*.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Better Law-Making of 13 April 2016 .			
328.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
329.	6. A delegated act adopted pursuant to Article 18(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two			6. A delegated act adopted pursuant to Article 18(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	months at the initiative of the European Parliament or the Council.			months at the initiative of the European Parliament or <i>of</i> the Council.
330.	<i>Article 18b</i>		[...]	NB: depending on the outcome of negotiations on the urgency procedure, if agreed then the standard text of the provision, as proposed by the Commission, would be inserted.
331.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and the Council shall state the reasons for the use of the urgency procedure.			
332.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure			

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	referred to in Article 18a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or the Council.			
333.	V. ENERGY			V. ENERGY
334.	31. Regulation (EC) No 1222/2009 of the European Parliament and of the Council of 25 November 2009 on the labelling of tyres with respect to fuel efficiency and other essential parameters⁸²			31. Regulation (EC) No 1222/2009 of the European Parliament and of the Council of 25 November 2009 on the labelling of tyres with respect to fuel efficiency and other essential parameters⁸³
335.	In order to make the necessary technical adaptations to Regulation (EC) No 1222/2009 the power to adopt acts in accordance with Article 290 of			In order to make the necessary technical adaptations to Regulation (EC) No 1222/2009 the power to adopt acts in accordance with Article 290 of

⁸² OJ L 342, 22.12.2009, p. 46.

⁸³ OJ L 342, 22.12.2009, p. 46.

<p>the Treaty should be delegated to the Commission to amend the Annexes to that Regulation to adapt them to technical progress. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>			<p>the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend the Annexes to that Regulation to adapt them to technical progress. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of <u>13 April 2016</u></i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>
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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
336.	Accordingly, Regulation (EC) No 1222/2009 is amended as follows:			Accordingly, Regulation (EC) No 1222/2009 is amended as follows:
337.	(1) Article 11 is replaced by the following:			(1) Article 11 is replaced by the following:
338.	<i>"Article 11</i> Amendments and adaptations to technical progress			<i>"Article 11</i> Amendments and adaptations to technical progress
339.	The Commission is empowered to adopt delegated acts in accordance with Article 12a amending this Regulation in respect of the following:			The Commission is empowered to adopt delegated acts in accordance with Article 12a amending this Regulation in respect of the following:
340.	(a) introduction of information requirements with respect to wet grip grading of C2 and C3 tyres, provided that suitable harmonised testing methods are available;			(a) introduction of information requirements with respect to wet grip grading of C2 and C3 tyres, provided that suitable harmonised testing methods are available;
341.	(b) adaptation, where relevant, of grip grading to the technical			(b) adaptation, where relevant, of grip grading to the technical

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	specificities of tyres primarily designed to perform better in ice and/or snow conditions than a normal tyre with regard to their ability to initiate, maintain, or stop vehicle motion;			specificities of tyres primarily designed to perform better in ice and/or snow conditions than a normal tyre with regard to their ability to initiate, maintain, or stop vehicle motion;
342.	(c) adaptation of Annexes I to V to technical progress.";			(c) adaptation of Annexes I to V to technical progress.";
343.	(2) the following Article 12a is inserted:			(2) the following Article 12a is inserted:
344.	<i>"Article 12a</i> Exercise of the delegation			<i>"Article 12a</i> Exercise of the delegation
345.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
346.	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for an indeterminate period of time	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for <i>a</i> period	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for [...] a period of five years from [date of entry into force of this Regulation].	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	from [date of entry into force of this Omnibus].	of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
347.	3. The delegation of power referred to in Article 11 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that			3. The delegation of power referred to in Article 11 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that

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	decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
348.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 .			4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making.
349.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to

; OJ L 123, 12.5.2016, p. 1.";

; OJ L 123, 12.5.2016, p. 1.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	the European Parliament and to the Council.			the European Parliament and to the Council.
350.	6. A delegated act adopted pursuant to Article 11 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			6. A delegated act adopted pursuant to Article 11 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
351.	(3) Article 13 is deleted.			(3) Article 13 is deleted.
352.	VI. ENVIRONMENT			VI. ENVIRONMENT

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
353.	34. European Parliament and Council Directive 94/63/EC of 20 December 1994 on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations⁸⁴			34. European Parliament and Council Directive 94/63/EC of 20 December 1994 on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations⁸⁵
354.	In order to ensure that the specifications for bottom loading equipment laid down in Directive 94/63/EC are revised where appropriate and to adapt the Annexes to technical progress, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Directive. It is of particular importance that the Commission carry out appropriate			In order to ensure that the specifications for bottom loading equipment laid down in Directive 94/63/EC are revised where appropriate and to adapt the Annexes to technical progress, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend the Annexes to that Directive. It is of particular importance that the Commission

⁸⁴ OJ L 365, 31.12.1994, p. 24.

⁸⁵ OJ L 365, 31.12.1994, p. 24.

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	consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
355.	Accordingly, Directive 94/63/EC is amended as follows:			Accordingly, Directive 94/63/EC is amended as follows:

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
356.	(1) in Article 4(1), the sixth subparagraph is replaced by the following:			(1) in Article 4(1), the sixth subparagraph is replaced by the following:
357.	“All terminals with loading facilities for road tankers shall be equipped with at least one gantry which meets the specifications for bottom loading equipment laid down in Annex IV. The Commission shall re-examine those specifications at regular intervals and is empowered to adopt delegated acts in accordance with Article 7a amending Annex IV in the light of the result of that re-examination.”;			“All terminals with loading facilities for road tankers shall be equipped with at least one gantry which meets the specifications for bottom loading equipment laid down in Annex IV. The Commission shall re-examine those specifications at regular intervals and is empowered to adopt delegated acts in accordance with Article 7a amending Annex IV in the light of the result of that re-examination.”;
358.	(2) Article 7 is replaced by the following:			(2) Article 7 is replaced by the following:
359.	“ <i>Article 7</i> Adaptation to technical progress ”			“ <i>Article 7</i> Adaptation to technical progress ”

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
360.	The Commission is empowered to adopt delegated acts in accordance with Article 7a amending the Annexes to adapt them to technical progress, with the exception of the limit values laid down in point 2 of Annex II.”;			The Commission is empowered to adopt delegated acts in accordance with Article 7a amending the Annexes to adapt them to technical progress, with the exception of the limit values laid down in point 2 of Annex II.”;
361.	(3) the following Article 7a is inserted:			(3) the following Article 7a is inserted:
362.	<i>"Article 7a</i> Exercise of the delegation			<i>"Article 7a</i> Exercise of the delegation
363.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
364.	2. The power to adopt delegated acts referred to in Article 4(1) and Article 7 shall be conferred on the Commission for an indeterminate period of	2. The power to adopt delegated acts referred to in Article 4(1) and Article 7 shall be conferred on the Commission for <i>a</i> period	2. The power to adopt delegated acts referred to in Article 4(1) and Article 7 shall be conferred on the Commission for [...] a period of five years from [date of entry into force of this	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	time from [date of entry into force of this Omnibus].	of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
365.	3. The delegation of power referred to in Article 4(1) and Article 7 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified			3. The delegation of power referred to in Article 4(1) and Article 7 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified

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	in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
366.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 .			4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making.
367.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to

⋮ OJ L 123, 12.5.2016, p.1. ";

⋮ OJ L 123, 12.5.2016, p.1. ";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	the European Parliament and to the Council.			the European Parliament and to the Council.
368.	6. A delegated act adopted pursuant to Article 4(1) and Article 7 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			6. A delegated act adopted pursuant to Article 4(1) and Article 7 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
369.	(4) Article 8 is deleted.			(4) Article 8 is deleted.
370.	39. Directive 2002/49/EC of the European Parliament and of			39. Directive 2002/49/EC of the European Parliament and of

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	the Council of 25 June 2002 relating to the assessment and management of environmental noise⁸⁶			the Council of 25 June 2002 relating to the assessment and management of environmental noise⁸⁷
371.	In order to adapt Directive 2002/49/EC to technical and scientific progress, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 . In particular, to ensure			In order to adapt Directive 2002/49/EC to technical and scientific progress, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend the Annexes to that Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-

⁸⁶ OJ L 189, 18.7.2002, p. 12.

⁸⁷ OJ L 189, 18.7.2002, p. 12.

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	equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
372.	Accordingly, Directive 2002/49/EC is amended as follows:			Accordingly, Directive 2002/49/EC is amended as follows:
373.	(1) Article 6 is amended as follows:			(1) Article 6 is amended as follows:
374.	(a) paragraph 2 is replaced by the following:			(a) paragraph 2 is replaced by the following:
375.	"2.The Commission is empowered to adopt delegated acts in accordance with Article 12a amending Annex II in order to establish common assessment			"2.The Commission is empowered to adopt delegated acts in accordance with Article 12a amending Annex II in order to establish common assessment

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	methods for the determination of <i>Lden</i> and <i>Lnight</i> .";			methods for the determination of <i>Lden</i> and <i>Lnight</i> .";
376.	(b) in paragraph 3, the following second subparagraph is added:			(b) in paragraph 3, the following second subparagraph is added:
377.	"The Commission is empowered to adopt delegated acts, in accordance with Article 12a, amending Annex III in order to establish common assessment methods for the determination of harmful effects.";			"The Commission is empowered to adopt delegated acts, in accordance with Article 12a, amending Annex III in order to establish common assessment methods for the determination of harmful effects.";
378.	(2) Article 12 is replaced by the following:			(2) Article 12 is replaced by the following:
379.	<i>"Article 12</i> Adaptation to technical and scientific progress			<i>"Article 12</i> Adaptation to technical and scientific progress
380.	The Commission is empowered to adopt delegated acts in accordance with Article 12a amending point 3 of Annex I and Annexes II and III to adapt them			The Commission is empowered to adopt delegated acts in accordance with Article 12a amending point 3 of Annex I and Annexes II and III to adapt them

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	to technical and scientific progress.";			to technical and scientific progress.";
381.	(3) the following Article 12a is inserted:			(3) the following Article 12a is inserted:
382.	"Article 12a Exercise of the delegation			"Article 12a Exercise of the delegation
383.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
384.	2. The power to adopt delegated acts referred to in Article 6(2) and (3) and Article 12 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 6(2) and (3) and Article 12 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in</i>	2. The power to adopt delegated acts referred to in Article 6(2) and (3) and Article 12 shall be conferred on the Commission for [...] a period of five years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
385.	3. The delegation of power referred to in Article 6(2) and (3) and Article 12 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a			3. The delegation of power referred to in Article 6(2) and (3) and Article 12 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a

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	later date specified therein. It shall not affect the validity of any delegated acts already in force.			later date specified therein. It shall not affect the validity of any delegated acts already in force.
386.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 .			4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of <u>13 April 2016</u></i> on Better Law-Making.
387.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
388.	6. A delegated act adopted pursuant to Article 6(2) and (3)			6. A delegated act adopted pursuant to Article 6(2) and (3)

; OJ L 123, 12.5.2016, p.1";

; OJ L 123, 12.5.2016, p.1";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	and Article 12 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			and Article 12 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
389.	(4) in Article 13, paragraph 3 is deleted;			(4) in Article 13, paragraph 3 is deleted;
390.	(5) in Annex III, the first sentence of the introductory wording is replaced by the following:			(5) in Annex III, the first sentence of the introductory wording is replaced by the following:
391.	"The dose-effect relations introduced by future revisions of			"The dose-effect relations introduced by future revisions of

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	this Annex will concern in particular:".			this Annex will concern in particular:".
392.	40. Directive 2004/42/EC of the European Parliament and of the Council of 21 April 2004 on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain paints and varnishes and vehicle refinishing products and amending Directive 1999/13/EC⁸⁸			40. Directive 2004/42/EC of the European Parliament and of the Council of 21 April 2004 on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain paints and varnishes and vehicle refinishing products and amending Directive 1999/13/EC⁸⁹
393.	In order to ensure the use of up-to-date analytical methods for determining compliance with volatile organic compounds content limit values, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annex III to Directive			In order to ensure the use of up-to-date analytical methods for determining compliance with volatile organic compounds content limit values, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the

⁸⁸ OJ L 143, 30.4.2004, p. 87.

⁸⁹ OJ L 143, 30.4.2004, p. 87.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	<p>2004/42/EC to adapt it to technical progress. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>			<p>Commission to amend Annex III to Directive 2004/42/EC to adapt it to technical progress. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>

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394.	Accordingly, Directive 2004/42/EC is amended as follows:			Accordingly, Directive 2004/42/EC is amended as follows:
395.	(1) Article 11 is replaced by the following:			(1) Article 11 is replaced by the following:
396.	<i>“Article 11</i> Adaptation to technical progress			<i>“Article 11</i> Adaptation to technical progress
397.	The Commission is empowered to adopt delegated acts in accordance with Article 11a amending Annex III to adapt it to technical progress.”			The Commission is empowered to adopt delegated acts in accordance with Article 11a amending Annex III to adapt it to technical progress.”
398.	(2) the following Article 11a is inserted:			(2) the following Article 11a is inserted:
399.	<i>"Article 11a</i> Exercise of the delegation			<i>"Article 11a</i> Exercise of the delegation
400.	1. The power to adopt delegated acts is conferred on the Commission subject to the			1. The power to adopt delegated acts is conferred on the Commission subject to the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	conditions laid down in this Article.			conditions laid down in this Article.
401.	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for [...] a period of five years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

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402.	3. The delegation of power referred to in Article 11 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 11 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
403.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on			4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of</i>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Better Law-Making of 13 April 2016 .			<i>13 April 2016</i> on Better Law-Making.
404.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
405.	6. A delegated act adopted pursuant to Article 11 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be			6. A delegated act adopted pursuant to Article 11 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be

: OJ L 123, 12.5.2016. p.1.";

: OJ L 123, 12.5.2016. p.1.";

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	extended by two months at the initiative of the European Parliament or of the Council.			extended by two months at the initiative of the European Parliament or of the Council.
406.	(3) in Article 12, paragraph 3 is deleted.			(3) in Article 12, paragraph 3 is deleted.
407.	45. Regulation (EC) No 166/2006 of the European Parliament and of the Council of 18 January 2006 concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC⁹⁰			45. Regulation (EC) No 166/2006 of the European Parliament and of the Council of 18 January 2006 concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC⁹¹
408.	In order to adapt Regulation (EC) No 166/2006 to technical progress and to the evolution of international law, and to ensure better reporting, the power to adopt acts in accordance with Article 290 of the Treaty should			In order to adapt Regulation (EC) No 166/2006 to technical progress and to the evolution of international law, and to ensure better reporting, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the</i>

⁹⁰ OJ L 33, 4.2.2006, p. 1.

⁹¹ OJ L 33, 4.2.2006, p. 1.

<p>be delegated to the Commission to amend Annexes II and III to that Regulation to adapt them to scientific or technical progress or as a result of the adoption by the Meeting of the Parties to the Protocol of any amendment of the Annexes to the UNECE Protocol on Pollutant Release and Transfer Registers, as well as to supplement that Regulation by initiating reporting on releases of relevant pollutants from one or more diffuse sources. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at</p>			<p><i>Functioning of the European Union</i> should be delegated to the Commission to amend Annexes II and III to that Regulation to adapt them to scientific or technical progress or as a result of the adoption by the Meeting of the Parties to the Protocol of any amendment of the Annexes to the UNECE Protocol on Pollutant Release and Transfer Registers, as well as to supplement that Regulation by initiating reporting on releases of relevant pollutants from one or more diffuse sources. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the</p>
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	the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
409.	Accordingly, Regulation (EC) No 166/2006 is amended as follows:			Accordingly, Regulation (EC) No 166/2006 is amended as follows:
410.	(1) in Article 8, paragraph 3 is replaced by the following:			(1) in Article 8, paragraph 3 is replaced by the following:
411.	“3. Where it determines that no data on the releases from diffuse sources exist, the Commission is empowered to adopt delegated acts in accordance with Article 18a to initiate reporting on releases of relevant pollutants from one or more diffuse sources using, where appropriate,	“3. Where it determines that no data on the releases from diffuse sources exist, the Commission is empowered to adopt delegated acts in accordance with Article 18a to supplement this Regulation by initiating reporting on releases of relevant pollutants from		“3. Where it determines that no data on the releases from diffuse sources exist, the Commission is empowered to adopt delegated acts in accordance with Article 18a <u>in order to supplement this Regulation by initiating</u> reporting on releases of relevant pollutants from one or more diffuse sources using, where

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	internationally approved methodologies.”	one or more diffuse sources using, where appropriate, internationally approved methodologies.”		appropriate, internationally approved methodologies.”
412.	(2) Article 18 is replaced by the following:			(2) Article 18 is replaced by the following:
413.	<i>"Article 18</i> Amendments to the Annexes			<i>"Article 18</i> Amendments to the Annexes
414.	The Commission is empowered to adopt delegated acts in accordance with Article 18a to amend Annexes II and III for the following purposes:			The Commission is empowered to adopt delegated acts in accordance with Article 18a to amend Annexes II and III for the following purposes:
415.	(a) to adapt them to scientific or technical progress;			(a) to adapt them to scientific or technical progress;
416.	(b) to adapt them as a result of the adoption by the Meeting of the Parties to the Protocol of any amendment to the Annexes to the Protocol.";			(b) to adapt them as a result of the adoption by the Meeting of the Parties to the Protocol of any amendment to the Annexes to the Protocol.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
417.	(3) the following Article 18a is inserted:			(3) the following Article 18a is inserted:
418.	" <i>Article 18a</i> Exercise of the delegation			" <i>Article 18a</i> Exercise of the delegation
419.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
420.	2. The power to adopt delegated acts referred to in Article 8(3) and Article 18 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 8(3) and Article 18 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of</i>	2. The power to adopt delegated acts referred to in Article 8(3) and Article 18 shall be conferred on the Commission for [...] a period of five years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	not later than three months before the end of each period.	
421.	3. The delegation of power referred to in Article 8(3) and Article 18 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 8(3) and Article 18 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

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422.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 .			4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of <u>13 April 2016</u></i> on Better Law-Making.
423.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
424.	6. A delegated act adopted pursuant to Article 8(3) and Article 18 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of			6. A delegated act adopted pursuant to Article 8(3) and Article 18 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of

;
: OJ L 123, 12.5.2016, p.1.";

;
: OJ L 123, 12.5.2016, p.1.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
425.	(4) in Article 19, paragraph 3 is deleted.			(4) in Article 19, paragraph 3 is deleted.
426.	50. Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC,			50. Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC,

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	and amending Regulation (EC) No 1907/2006⁹²			and amending Regulation (EC) No 1907/2006⁹³
427.	In order to ensure that Regulation (EC) No 1272/2008 is regularly updated, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission:			In order to ensure that Regulation (EC) No 1272/2008 is regularly updated, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission:
428.	- to amend Annex VI to that Regulation to harmonise the classification and labelling of substances;			- to amend Annex VI to that Regulation to harmonise the classification and labelling of substances;
429.	- to amend that Regulation by adding an Annex relating to emergency health response;		- to amend Annex VIII to further harmonize the information relating to emergency health response and preventative measures; [...]	- to amend <u>Annex VIII to further harmonize the information relating to emergency health response and preventative measures;</u>

⁹² OJ L 353, 31.12.2008, p. 1.

⁹³ OJ L 353, 31.12.2008, p. 1.

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430.	- to amend certain provisions of that Regulation and Annexes I to VIII to that Regulation in order to adapt them to technical and scientific progress.			- to amend certain provisions of that Regulation and Annexes I to VIII to that Regulation in order to adapt them to technical and scientific progress.
431.	It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to			It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	meetings of Commission expert groups dealing with the preparation of delegated acts.			meetings of Commission expert groups dealing with the preparation of delegated acts.
432.	Accordingly, Regulation (EC) No 1272/2008 is amended as follows:			Accordingly, Regulation (EC) No 1272/2008 is amended as follows:
433.	(1) in Article 37, paragraph 5 is replaced by the following:			(1) in Article 37, paragraph 5 is replaced by the following:
434.	"5. The Commission shall without undue delay adopt delegated acts, in accordance with Article 53a, where it finds that the harmonisation of the classification and labelling of the substance concerned is appropriate, to amend Annex VI by inclusion of that substance together with the relevant classification and labelling elements in Table 3.1 of Part 3 of Annex VI and, where appropriate, the specific			"5. The Commission shall without undue delay adopt delegated acts, in accordance with Article 53a, where it finds that the harmonisation of the classification and labelling of the substance concerned is appropriate, to amend Annex VI by inclusion of that substance together with the relevant classification and labelling elements in Table 3.1 of Part 3 of Annex VI and, where appropriate, the specific

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	concentration limits or M-factors.			concentration limits or M-factors.
435.	A corresponding entry shall be included in Table 3.2 of Part 3 of Annex VI subject to the same conditions, until 31 May 2015.			A corresponding entry shall be included in Table 3.2 of Part 3 of Annex VI subject to the same conditions, until 31 May 2015.
436.	Where , in the case of harmonisation of classification and labelling of substances, imperative grounds of urgency so require, the procedure provided for in Article 53b shall apply to delegated acts adopted pursuant to this paragraph.";			Where, in the case of harmonisation of classification and labelling of substances, imperative grounds of urgency so require, the procedure provided for in Article 53b shall apply to delegated acts adopted pursuant to this paragraph.";
437.	(2) in Article 45, paragraph 4 is replaced by the following:			(2) in Article 45, paragraph 4 is replaced by the following:
438.	"4. By 20 January 2012 the Commission shall carry out a review to assess the possibility of harmonising the information referred to in paragraph 1, including establishing a format for the submission of		"4. [...] Following consultation with relevant stakeholders such as the European Association of Poison Centres and Clinical Toxicologists (EAPCCT), the Commission is empowered to adopt delegated acts in accordance with Article 53a,	"4. <u>The Commission is empowered to adopt delegated acts in accordance with Article 53a, amending Annex VIII to further harmonise the information relating to emergency health response and</u>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	information by importers and downstream users to appointed bodies. On the basis of this review, and following consultation with relevant stakeholders such as the European Association of Poison Centres and Clinical Toxicologists (EAPCCT), the Commission is empowered to adopt a delegated Regulation, in accordance with Article 53a, amending this Regulation by adding an Annex.";		amending Annex VIII to further harmonise the information relating to emergency health response and preventative measures;"	<u>preventative measures, following consultation with relevant stakeholders such as the European Association of Poison Centres and Clinical Toxicologists (EAPCCT);"</u>
439.	(3) in Article 53, paragraph 1 is replaced by the following:			(3) in Article 53, paragraph 1 is replaced by the following:

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
440.	"1. The Commission is empowered to adopt delegated acts in accordance with Article 53a amending Article 6(5), Article 11(3), Article 12, Article 14, Article 18(3)(b), Article 23, Articles 25 to 29, the second and third subparagraphs of Article 35(2) and Annexes I to VIII in order to adapt them to technical and scientific progress, taking due account of the further development of the GHS, in particular any UN amendments relating to the use of information on similar mixtures, and considering the developments in internationally recognised chemical programmes and of the data from accident databases.			"1. The Commission is empowered to adopt delegated acts in accordance with Article 53a amending Article 6(5), Article 11(3), Article 12, Article 14, Article 18(3)(b), Article 23, Articles 25 to 29, the second and third subparagraphs of Article 35(2) and Annexes I to VIII in order to adapt them to technical and scientific progress, taking due account of the further development of the GHS, in particular any UN amendments relating to the use of information on similar mixtures, and considering the developments in internationally recognised chemical programmes and of the data from accident databases.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
441.	Where imperative grounds of urgency so require, the procedure provided for in Article 53b shall apply to delegated acts adopted pursuant to this paragraph.";			Where imperative grounds of urgency so require, the procedure provided for in Article 53b shall apply to delegated acts adopted pursuant to this paragraph.";
442.	(4) the following Articles 53a and 53b are inserted:		(4) the following Articles 53a [...] 53b and 53c are inserted:	(4) the following Articles <u>53a</u> , <u>53b and 53c</u> are inserted:
443.	"Article 53a Exercise of the delegation			"Article 53a Exercise of the delegation
444.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
445.	2. The power to adopt delegated acts referred to in Article 37(5), Article 45(4) and Article 53(1) shall be conferred on the Commission for an indeterminate period of time	2. The power to adopt delegated acts referred to in Article 37(5), Article 45(4) and Article 53(1) shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date	2. The power to adopt delegated acts referred to in Article 37(5), Article 45(4) and Article 53(1) shall be conferred on the Commission for [...] a period of five years from [date of entry into force of this Regulation]. The Commission shall draw up a	

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	from [date of entry into force of this Omnibus].	of entry into force of this <i>amending Regulation</i> . <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
446.	3. The delegation of power referred to in Articles 37(5), Article 45(4) and Article 53(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified			3. The delegation of power referred to in Articles 37(5), Article 45(4) and Article 53(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified

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	in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
447.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016 .			4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making.
448.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to

; OJ L 123, 12.5.2016, p.1.";

; OJ L 123, 12.5.2016, p.1.";

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	the European Parliament and to the Council.			the European Parliament and to the Council.
449.	6. A delegated act adopted pursuant to Article 37(5), Article 45(4) and Article 53(1) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			6. A delegated act adopted pursuant to Article 37(5), Article 45(4) and Article 53(1) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
450.	<i>Article 53b</i> Urgency procedure			<i>Article 53b</i> Urgency procedure

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
451.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.			1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.
452.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 53a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.			2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 53a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
453.			<i>Article 53c</i> Separate delegated acts for different delegated powers	<u><i>Article 53c</i></u> <u><i>Separate delegated acts for</i></u> <u><i>different delegated powers</i></u>
454.			The Commission shall adopt a separate delegated act in respect of each power delegated to it pursuant to this Regulation. "	<u><i>The Commission shall adopt a</i></u> <u><i>separate delegated act in respect</i></u> <u><i>of each power delegated to it</i></u> <u><i>pursuant to this Regulation. "</i></u>
455.	(5) in Article 54, paragraphs 3 and 4 are deleted.			(5) in Article 54, paragraphs 3 and 4 are deleted.
456.	51. Directive 2009/126/EC of the European Parliament and of the Council of 21 October 2009 on Stage II petrol vapour recovery during refuelling of motor vehicles at service stations⁹⁴			51. Directive 2009/126/EC of the European Parliament and of the Council of 21 October 2009 on Stage II petrol vapour recovery during refuelling of motor vehicles at service stations⁹⁵
457.	In order to ensure consistency with relevant standards drawn up			In order to ensure consistency with relevant standards drawn up

⁹⁴ OJ L 285, 31.10.2009, p. 36.

⁹⁵ OJ L 285, 31.10.2009, p. 36.

<p>by the European Committee for Standardisation (CEN), the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend certain provisions of Directive 2009/126/EC in order to adapt them to technical progress. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>			<p>by the European Committee for Standardisation (CEN), the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend certain provisions of Directive 2009/126/EC in order to adapt them to technical progress. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert</p>
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				groups dealing with the preparation of delegated acts.
458.	Accordingly, Directive 2009/126/EC is amended as follows:			Accordingly, Directive 2009/126/EC is amended as follows:
459.	(1) Article 8 is replaced by the following:			(1) Article 8 is replaced by the following:
460.	<i>“Article 8</i> Technical adaptations			<i>“Article 8</i> Technical adaptations
461.	The Commission is empowered to adopt delegated acts, in accordance with Article 8a, amending Articles 4 and 5 to adapt them to technical progress where necessary to ensure consistency with any relevant standard drawn up by the European Committee for Standardisation (CEN).			The Commission is empowered to adopt delegated acts, in accordance with Article 8a, amending Articles 4 and 5 to adapt them to technical progress where necessary to ensure consistency with any relevant standard drawn up by the European Committee for Standardisation (CEN).
462.	The delegation of power referred to in the first paragraph shall not apply to the petrol vapour			The delegation of power referred to in the first paragraph shall not apply to the petrol vapour

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	capture efficiency and vapour/petrol ratio specified in Article 4 and the time periods specified in Article 5.”;			capture efficiency and vapour/petrol ratio specified in Article 4 and the time periods specified in Article 5.”;
463.	(2) the following Article 8a is inserted:			(2) the following Article 8a is inserted:
464.	"Article 8a Exercise of the delegation			"Article 8a Exercise of the delegation
465.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
466.	2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for a period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in</i>	2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for [...] a period of five years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
467.	3. The delegation of power referred to in Article 8 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified			3. The delegation of power referred to in Article 8 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified

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	therein. It shall not affect the validity of any delegated acts already in force.			therein. It shall not affect the validity of any delegated acts already in force.
468.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 .			4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of <u>13 April 2016</u></i> on Better Law-Making' .
469.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
470.	6. A delegated act adopted pursuant to Article 8 shall enter into force only if no objection			6. A delegated act adopted pursuant to Article 8 shall enter into force only if no objection

; OJ L 123, 12.5.2016, p. 1.";

; OJ L 123, 12.5.2016, p. 1.";

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	has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
471.	(3) Article 9 is deleted.			(3) Article 9 is deleted.
472.	VII. EUROSTAT			VII. EUROSTAT
473.	65. Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2			65. Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains⁹⁶			and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains⁹⁷
474.	In order to adapt Regulation (EC) No 1893/2006 to technological and economic developments and to align NACE Rev. 2 with other economic and social classifications, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annex to that Regulation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in		In order to adapt Regulation (EC) No 1893/2006 to technological and economic developments and to align NACE Rev. 2 with other economic and social classifications, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annex to that Regulation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better	In order to adapt Regulation (EC) No 1893/2006 to technological and economic developments and to align NACE Rev. 2 with other economic and social classifications, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend the Annex to that Regulation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including

⁹⁶ OJ L 393, 30.12.2006, p.1.

⁹⁷ OJ L 393, 30.12.2006, p.1.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
475.	Accordingly, Regulation (EC) No 1893/2006 is amended as follows:			Accordingly, Regulation (EC) No 1893/2006 is amended as follows:
476.	(1) in Article 6, paragraph 2 is replaced by the following:			(1) in Article 6, paragraph 2 is replaced by the following:
477.	"2.The Commission is empowered to adopt delegated	"2. The Commission is empowered to adopt		"2. The Commission is empowered to adopt delegated

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	acts in accordance with Article 6a amending the Annex to take account of technological or economic developments or to align it with other economic and social classifications.";	delegated acts in accordance with Article 6a amending Annex I to take account of technological or economic developments or to align it with other economic and social classifications."		acts in accordance with Article 6a amending Annex I to take account of technological or economic developments or to align it with other economic and social classifications."
478.	(2) the following Article 6a is inserted:			(2) the following Article 6a is inserted:
479.	<i>"Article 6a</i> Exercise of the delegation			<i>"Article 6a</i> Exercise of the delegation
480.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
481.	2. The power to adopt delegated acts referred to in Article 6(2) shall be conferred on the Commission for an indeterminate period of time	2. The power to adopt delegated acts referred to in Article 6(2) shall be conferred on the Commission for <i>a</i> period	2. The power to adopt delegated acts referred to in Article 6(2) shall be conferred on the Commission for a period of five years [...] from [...] the entry into force of this Regulation	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	from [date of entry into force of this Omnibus].	of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	[...]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
482.	3. The delegation of power referred to in Article 6(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the			3. The delegation of power referred to in Article 6(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
483.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 .		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making*.
484.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
485.	6. A delegated act adopted pursuant to Article 6(2) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	6. A delegated act adopted pursuant to Article 6(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of <i>three</i> months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by <i>three</i> months at the initiative of the European Parliament or of the Council.		NB: ⁹⁸ 6. A delegated act adopted pursuant to Article 6(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of three months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by three months at the initiative of the European Parliament or of the Council.

⁹⁸ The issue of a longer objection period concerns nine acts in the package (acts 65, 72, 82, 89, 92, 93, 95, 96 and 101).

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486.	(3) in Article 7, paragraph 3 is deleted.			(3) in Article 7, paragraph 3 is deleted.
487.	72. Regulation (EC) No 451/2008 of the European Parliament and of the Council of 23 April 2008 establishing a new statistical classification of products by activity (CPA) and repealing Council Regulation (EEC) No 3696/93⁹⁹			72. Regulation (EC) No 451/2008 of the European Parliament and of the Council of 23 April 2008 establishing a new statistical classification of products by activity (CPA) and repealing Council Regulation (EEC) No 3696/93¹⁰⁰
488.	In order to adapt Regulation (EC) No 451/2008 to technological or economic developments and align it with other economic and social classifications, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annex to that Regulation. It is of particular		In order to adapt Regulation (EC) No 451/2008 to technological or economic developments and align it with other economic and social classifications, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annex to that Regulation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory	In order to adapt Regulation (EC) No 451/2008 to technological or economic developments and align it with other economic and social classifications, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend the

⁹⁹ OJ L 145, 4.6.2008, p. 65.

¹⁰⁰ OJ L 145, 4.6.2008, p. 65.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	Annex to that Regulation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
489.	Accordingly, Regulation (EC) No 451/2008 is amended as follows:			Accordingly, Regulation (EC) No 451/2008 is amended as follows:

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
490.	(1) in Article 6, paragraph 2 is replaced by the following:			(1) in Article 6, paragraph 2 is replaced by the following:
491.	"2. The Commission is empowered to adopt delegated acts in accordance with Article 6a amending the Annex: (a) to take account of technological or economic developments; (b) to align it with other economic and social classifications.";	"2. The Commission is empowered to adopt delegated acts in accordance with Article 6a amending the Annex to take account of technological or economic developments and to align it with other economic and social classifications".		"2. The Commission is empowered to adopt delegated acts in accordance with Article 6a amending the Annex to take account of technological or economic developments <i>or</i> to align it with other economic and social classifications".
492.			When exercising that power, the Commission shall ensure that the delegated acts do not impose a significant additional burden or cost on the Member States or on the respondents.	<u>When exercising that power, the Commission shall ensure that the delegated acts do not impose a significant additional burden or cost on the Member States or on the respondents.</u>
493.	(2) the following Article 6a is inserted:			(2) the following Article 6a is inserted:
494.	<i>"Article 6a</i> Exercise of the delegation			<i>"Article 6a</i>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				Exercise of the delegation
495.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
496.	2. The power to adopt delegated acts referred to in Article 6(2) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 6(2) shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless</i>	2. The power to adopt delegated acts referred to in Article 6(2) shall be conferred on the Commission for a period of five years [...] from [...] the entry into force of this Regulation [...]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>		
497.	3. The delegation of power referred to in Article 6(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 6(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
498.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 .		down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making*.
499.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
500.	6. A delegated act adopted pursuant to Article 6(2) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission	6. A delegated act adopted pursuant to Article 6(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of <i>three</i> months of notification of that act to the European Parliament and the Council or if,		6. A delegated act adopted pursuant to Article 6(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of three months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have

OJ L 123, 12.5.2016, p. 1.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by <i>three</i> months at the initiative of the European Parliament or of the Council.		both informed the Commission that they will not object. That period shall be extended by three months at the initiative of the European Parliament or of the Council.
501.	(3) in Article 7, paragraph 3 is deleted.			(3) in Article 7, paragraph 3 is deleted.
502.	IX. INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP AND SMES			IX. INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP AND SMES
503.	82. Council Directive 76/211/EEC of 20 January 1976 on the approximation of the laws of the Member States relating to the making-up by			82. Council Directive 76/211/EEC of 20 January 1976 on the approximation of the laws of the Member States relating to the making-up by

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	weight or by volume of certain prepackaged products¹⁰¹			weight or by volume of certain prepackaged products¹⁰²
504.	In order to adapt Directive 76/211/EC to technical progress, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I and II to that Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 . In particular, to ensure equal participation in the			In order to adapt Directive 76/211/EC to technical progress, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend Annexes I and II to that Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure

¹⁰¹ OJ L 46, 21.2.1976, p. 1.

¹⁰² OJ L 46, 21.2.1976, p. 1.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
505.	Accordingly, Directive 76/211/EEC is amended as follows:			Accordingly, Directive 76/211/EEC is amended as follows:
506.	(1) Article 6 is replaced by the following:			(1) Article 6 is replaced by the following:
507.	<i>"Article 6</i>			<i>"Article 6</i>
508.	"The Commission is empowered to adopt delegated acts in accordance with Article 6a amending Annexes I and II to adapt them to technical progress."			"The Commission is empowered to adopt delegated acts in accordance with Article 6a amending Annexes I and II to adapt them to technical progress."
509.	(2) the following Article 6a is inserted:			(2) the following Article 6a is inserted:

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
510.	<i>"Article 6a</i>			<i>"Article 6a</i>
511.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
512.	2. The power to adopt delegated acts referred to in Article 6 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 6 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament</i>	2. The power to adopt delegated acts referred to in Article 6 shall be conferred on the Commission for [...] a period of five years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>or the Council opposes such extension not later than three months before the end of each period.</i>		
513.	3. The delegation of power referred to in Article 6 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 6 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
514.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on			4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of</i>

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Better Law-Making of 13 April 2016*.			<u>13 April 2016</u> on Better Law-Making*.
515.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
516.	6. A delegated act adopted pursuant to Article 6 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the	6. A delegated act adopted pursuant to Article 6 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of <i>three</i> months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object.		6. A delegated act adopted pursuant to Article 6(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of three months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by three months at the initiative of

* OJ L 123, 12.5.2016, p.1."

* OJ L 123, 12.5.2016, p.1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	initiative of the European Parliament or of the Council.	That period shall be extended by <i>three</i> months at the initiative of the European Parliament or of the Council.		the European Parliament or of the Council.
517.	85. Directive 2000/14/EC of the European Parliament and of the Council of 8 May 2000 on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors¹⁰³			85. Directive 2000/14/EC of the European Parliament and of the Council of 8 May 2000 on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors¹⁰⁴
518.	In order to adapt Directive 2000/14/EC to technical progress, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annex III to that Directive. It is of particular importance that the Commission carry out			In order to adapt Directive 2000/14/EC to technical progress, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend Annex III to that Directive. It is of particular

¹⁰³ OJ L 162, 3.7.2000, p. 1.

¹⁰⁴ OJ L 162, 3.7.2000, p. 1.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
519.	Accordingly, Directive 2000/14/EC is amended as follows:			Accordingly, Directive 2000/14/EC is amended as follows:

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
520.	<i>"Article 17a</i> Exercise of the delegation			<i>"Article 17a</i> Exercise of the delegation
521.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
522.	2. The power to adopt delegated acts referred to in Article 18a shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 18a shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless</i>	2. The power to adopt delegated acts referred to in Article 18a shall be conferred on the Commission for [...] a period of five years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>		
523.	3. The delegation of power referred to in Article 18a may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 18a may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
524.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on			4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of</i>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Better Law-Making of 13 April 2016 ¹⁰⁵ .			<u>13 April 2016</u> on Better Law-Making ¹⁰⁶ .
525.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
526.	6. A delegated act adopted pursuant to Article 18a shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the			6. A delegated act adopted pursuant to Article 18a shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the

¹⁰⁵ OJ L 123, 12. 5. 2016, p.1.";

¹⁰⁶ OJ L 123, 12. 5. 2016, p.1.";

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	initiative of the European Parliament or of the Council.			initiative of the European Parliament or of the Council.
527.	(2) in Article 18, paragraph 2 is deleted;			(2) in Article 18, paragraph 2 is deleted;
528.	(3) Article 18a is replaced by the following:			(3) Article 18a is replaced by the following:
529.	<i>"Article 18a</i> Amendments to Annex III			<i>"Article 18a</i> Amendments to Annex III
530.	The Commission is empowered to adopt delegated acts in accordance with Article 17a amending Annex III to adapt it to technical progress. Those delegated acts shall not have any direct impact on the measured sound power level of equipment listed in Article 12, in particular through the inclusion of references to relevant European standards.";			The Commission is empowered to adopt delegated acts in accordance with Article 17a amending Annex III to adapt it to technical progress. Those delegated acts shall not have any direct impact on the measured sound power level of equipment listed in Article 12, in particular through the inclusion of references to relevant European standards.";
531.	(4) in Article 19, point (b) is deleted.			(4) in Article 19, point (b) is deleted.

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
532.	87. Directive 2004/9/EC of the European Parliament and of the Council of 11 February 2004 on the inspection and verification of good laboratory practice (GLP)¹⁰⁷			87. Directive 2004/9/EC of the European Parliament and of the Council of 11 February 2004 on the inspection and verification of good laboratory practice (GLP)¹⁰⁸
533.	In order to adopt the necessary technical adaptation to Directive 2004/9/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission:			In order to adopt the necessary technical adaptation to Directive 2004/9/EC, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission:
534.	- to amend that Directive in order to resolve disagreements in relation to GLP compliance;			- to amend that Directive in order to resolve disagreements in relation to GLP compliance;
535.	- to amend the endorsement formula in that Directive;			- to amend the endorsement formula in that Directive;

¹⁰⁷ OJ L 50, 20.2.2004, p. 28.

¹⁰⁸ OJ L 50, 20.2.2004, p. 28.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
536.	- to amend Annex I to that Directive to take account of technical progress.			- to amend Annex I to that Directive to take account of technical progress.
537.	It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
538.	Accordingly, Directive 2004/9/EC is amended as follows:			Accordingly, Directive 2004/9/EC is amended as follows:
539.	(1) in Article 6, paragraph 3 is replaced by the following:			(1) in Article 6, paragraph 3 is replaced by the following:
540.	"3. The Commission is empowered to adopt delegated acts in accordance with Article 6a amending this Directive in order to resolve the matters referred to in paragraph 1.";		"3. The Commission is empowered to adopt delegated acts in accordance with Article 6a amending this Directive in order to resolve the matters referred to in paragraph 1. Amendments relating to the Annex I shall be limited to providing detailed practical guidance to the Member States."	<p style="background-color: #c8e6c9;">"3. The Commission is empowered to adopt delegated acts in accordance with Article 6a amending this Directive in order to resolve the matters referred to in paragraph 1.</p> <p>[Alternative wording for the 2d sentence (Council text), as proposed by the Commission at technical level:</p> <p>"Amendments to Annex I shall not change its nature of providing guidance for compliance monitoring procedures for GLP and for the conduct of test facility inspections and study audits."]</p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
541.	(2) the following Article 6a is inserted:			(2) the following Article 6a is inserted:
542.	"Article 6a			"Article 6a
543.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
544.	2. The power to adopt delegated acts referred to in Article 6(3) and Article 8(2) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 6(3) and Article 8(2) shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall</i>	2. The power to adopt delegated acts referred to in Article 6(3) and Article 8(2) shall be conferred on the Commission for [...] a period of five years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>		
545.	3. The delegation of power referred to in Article 6(3) and Article 8(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 6(3) and Article 8(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
546.	4. Before adopting a delegated act, the Commission shall consult			4. Before adopting a delegated act, the Commission shall consult

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	experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016*.			experts designated by each Member State in accordance with the principles laid down in the <i>Interinstitutional Agreement of <u>13 April 2016</u></i> on Better Law-Making*.
547.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
548.	6. A delegated act adopted pursuant to Article 6(3) and Article 8(2) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have			6. A delegated act adopted pursuant to Article 6(3) and Article 8(2) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have

* OJ L 123, 12.5.2016, p.1."

* OJ L 123, 12.5.2016, p.1."

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
549.	(3) in Article 7, paragraph 3 is deleted;			(3) in Article 7, paragraph 3 is deleted;
550.	(4) in Article 8, paragraph 2 is replaced by the following:			(4) in Article 8, paragraph 2 is replaced by the following:
551.	"2. The Commission is empowered to adopt delegated acts in accordance with Article 6a amending:			"2. The Commission is empowered to adopt delegated acts in accordance with Article 6a amending:
552.	(a) the formula in Article 2(2);			(a) the formula in Article 2(2);
553.	(b) Annex I, to take account of technical progress."			(b) Annex I, to take account of technical progress."
554.	89. Directive 2006/42/EC of the European Parliament and of the Council on machinery, and amending Directive 95/16/EC			89. Directive 2006/42/EC of the European Parliament and of the Council on machinery, and amending Directive 95/16/EC

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
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555.	In order to take into account new developments, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the indicative list of safety components in Annex V to Directive 2006/42/EC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European			In order to take into account new developments, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend the indicative list of safety components in Annex V to Directive 2006/42/EC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal

¹⁰⁹ OJ L 157, 9.6.2006, p. 24.

¹¹⁰ OJ L 157, 9.6.2006, p. 24.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
556.	In order to ensure uniform conditions for the implementation of Directive 2006/42/EC, implementing powers should be conferred on the Commission concerning necessary measures to deal with potentially hazardous machinery. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.			In order to ensure uniform conditions for the implementation of Directive 2006/42/EC, implementing powers should be conferred on the Commission concerning necessary measures to deal with potentially hazardous machinery. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.
557.	Accordingly, Directive 2006/42/EC is amended as follows:			Accordingly, Directive 2006/42/EC is amended as follows:

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
558.	(1) in Article 8, paragraph 1 is replaced by the following:			(1) in Article 8, paragraph 1 is replaced by the following:
559.	"1. The Commission is empowered to adopt delegated acts in accordance with Article 21a amending Annex V to update the indicative list of safety components.";			"1. The Commission is empowered to adopt delegated acts in accordance with Article 21a amending Annex V to update the indicative list of safety components.";
560.	(2) in Article 9(3), the second and third subparagraphs are replaced by the following:			(2) in Article 9(3), the second and third subparagraphs are replaced by the following:
561.	"Taking due account of the results of that consultation, the Commission shall adopt the necessary measures by implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 22(3).";			"Taking due account of the results of that consultation, the Commission shall adopt the necessary measures by implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 22(3).";
562.	(3) the following Article 21a is inserted:			(3) the following Article 21a is inserted:

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
563.	"Article 21a Exercise of the delegation			"Article 21a Exercise of the delegation
564.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
565.	2. The power to adopt delegated acts referred to in Article 8(1) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 8(1) shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an</i>	2. The power to adopt delegated acts referred to in Article 8(1) shall be conferred on the Commission for [...] a period of five years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>		
566.	3. The delegation of power referred to in Article 8(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 8(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
567.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with			4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016*.			the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making*.
568.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
569.	6. A delegated act adopted pursuant to Article 8(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission	6. A delegated act adopted pursuant to Article 8(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of <i>three</i> months of notification of that act to the European Parliament and the Council or if, before the expiry of that		6. A delegated act adopted pursuant to Article 6(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of three months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission

* OJ L 123, 12.5.2016, p.1."

* OJ L 123, 12.5.2016, p.1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by <i>three</i> months at the initiative of the European Parliament or of the Council.		that they will not object. That period shall be extended by three months at the initiative of the European Parliament or of the Council.
570.	(4) in Article 22, paragraph 3 is replaced by the following:			(4) in Article 22, paragraph 3 is replaced by the following:
571.	"3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 of the European Parliament and of the Council* shall apply.			"3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 of the European Parliament and of the Council* shall apply.
572.	92. Directive 2009/34/EC of the European Parliament and of the Council of 23 April 2009			92. Directive 2009/34/EC of the European Parliament and of the Council of 23 April 2009

* Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13)."

* Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13)."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	relating to common provisions for both measuring instruments and methods of metrological control¹¹¹			relating to common provisions for both measuring instruments and methods of metrological control¹¹²
573.	In order to ensure that the necessary technical adaptations are made to Directive 2009/34/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Directive to adapt them to technical progress. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-			In order to ensure that the necessary technical adaptations are made to Directive 2009/34/EC, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend the Annexes to that Directive to adapt them to technical progress. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional

¹¹¹ OJ L 106, 28.4.2009, p. 7.

¹¹² OJ L 106, 28.4.2009, p. 7.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Making of 13 April 2016 . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
574.	As far as the empowerment in Article 5(3) is concerned, which provides that Member States which have granted limited EC pattern approval are to apply for adjustment to technical progress of Annexes I and II, such limited EC pattern approvals no longer exist. The empowerment in Article 5(3) should therefore be deleted.			As far as the empowerment in Article 5(3) is concerned, which provides that Member States which have granted limited EC pattern approval are to apply for adjustment to technical progress of Annexes I and II, such limited EC pattern approvals no longer exist. The empowerment in Article 5(3) should therefore be deleted.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
575.	Accordingly, Directive 2009/34/EC is amended as follows:			Accordingly, Directive 2009/34/EC is amended as follows:
576.	(1) in Article 5, paragraph 3 is deleted;			(1) in Article 5, paragraph 3 is deleted;
577.	(2) Article 16 is replaced by the following:			(2) Article 16 is replaced by the following:
578.	<i>"Article 16</i>			<i>"Article 16</i>
579.	The Commission is empowered to adopt delegated acts in accordance with Article 16a amending Annexes I and II to adapt them to technical progress.";			The Commission is empowered to adopt delegated acts in accordance with Article 16a amending Annexes I and II to adapt them to technical progress.";
580.	(3) the following Article 16a is inserted:			(3) the following Article 16a is inserted:
581.	<i>"Article 16a</i>			<i>"Article 16a</i>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
582.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
583.	2. The power to adopt delegated acts referred to in Article 16 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 16 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes</i>	2. The power to adopt delegated acts referred to in Article 16 shall be conferred on the Commission for [...] a period of five years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>such extension not later than three months before the end of each period.</i>		
584.	3. The delegation of power referred to in Article 16 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 16 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
585.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the			4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Interinstitutional Agreement on Better Law-Making of 13 April 2016 *.			Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making*.
586.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
587.	6. A delegated act adopted pursuant to Article 16 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the	6. A delegated act adopted pursuant to Article 16 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of three months of notification of that act to the European Parliament and the Council or if, before the		6. A delegated act adopted pursuant to Article 6(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of three months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have

* OJ L 123, 12.5.2016, p. 1.”;

* OJ L 123, 12.5.2016, p. 1.”;

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by <i>three</i> months at the initiative of the European Parliament or of the Council.		both informed the Commission that they will not object. That period shall be extended by three months at the initiative of the European Parliament or of the Council.
588.	<i>(4) Article 17 is deleted</i>			(4) Article 17 is deleted.
589.	93. Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community¹¹³			93. Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community¹¹⁴

¹¹³ OJ L 146, 10.6.2009, p. 1.

¹¹⁴ OJ L 146, 10.6.2009, p. 1.

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	<p>In order to ensure that the list of defence-related products set out in the Annex to Directive 2009/43/EC strictly corresponds to the Common Military List of the European Union, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend that Annex and to amend that Directive as regards the circumstances in which Member States may exempt transfers of defence-related products from the obligation of prior authorisation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April</p>			<p>In order to ensure that the list of defence-related products set out in the Annex to Directive 2009/43/EC strictly corresponds to the Common Military List of the European Union, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend that Annex and to amend that Directive as regards the circumstances in which Member States may exempt transfers of defence-related products from the obligation of prior authorisation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the</p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	2016* . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making *. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
590.	Accordingly, Directive 2009/43/EC is amended as follows:			Accordingly, Directive 2009/43/EC is amended as follows:
591.	(1) in Article 4, paragraph 3 is replaced by the following:			(1) in Article 4, paragraph 3 is replaced by the following:
592.	"3. The Commission is empowered to adopt delegated acts in accordance with Article 13a, at the request of a Member State or on its own initiative,			"3. The Commission is empowered to adopt delegated acts in accordance with Article 13a, at the request of a Member State or on its own initiative,

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	amending paragraph 2, in order to include cases where:			amending paragraph 2, in order to include cases where:
593.	(a) the transfer takes place under conditions which do not affect public policy or public security;			(a) the transfer takes place under conditions which do not affect public policy or public security;
594.	(b) the obligation of prior authorisation has become incompatible with international commitments of the Member States subsequent to the adoption of this Directive;			(b) the obligation of prior authorisation has become incompatible with international commitments of the Member States subsequent to the adoption of this Directive;
595.	(c) it is necessary for intergovernmental cooperation, as referred to in Article 1(4).";			(c) it is necessary for intergovernmental cooperation, as referred to in Article 1(4).";
596.	(2) Article 13 is replaced by the following:			(2) Article 13 is replaced by the following:
597.	<i>"Article 13</i> Amendment of the Annex			<i>"Article 13</i> Amendment of the Annex
598.	The Commission is empowered to adopt delegated acts in accordance with Article 13a			The Commission is empowered to adopt delegated acts in accordance with Article 13a

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	amending the list of defence-related products set out in the Annex, so that it strictly corresponds to the Common Military List of the European Union.			amending the list of defence-related products set out in the Annex, so that it strictly corresponds to the Common Military List of the European Union.
599.	Where imperative grounds of urgency so require, the procedure provided for in Article 13b shall apply to delegated acts adopted pursuant to this Article.";		[...]	Where imperative grounds of urgency so require, the procedure provided for in Article 13b shall apply to delegated acts adopted pursuant to this Article.";
600.	(3) the following Articles 13a and 13b are inserted:		(3) the following Article[...] 13a [...] is inserted:	(3) the following Articles 13a and 13b are inserted:
601.	<i>"Article 13a</i> Exercise of the delegation			<i>"Article 13a</i> Exercise of the delegation
602.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
603.	<p>2. The power to adopt delegated acts referred to in Article 4(3) and Article 13 shall be conferred on the Commission for an indeterminate period of time from the [date of entry into force of this Omnibus].</p>	<p>2. The power to adopt delegated acts referred to in Article 4(3) and Article 13 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i></p>	<p>2. The power to adopt delegated acts referred to in Article 4(3) and Article 13 shall be conferred on the Commission for [...] a period of five years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</p>	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
604.	3. The delegation of power referred to in Article 4(3) and Article13 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 4(3) and Article13 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
605.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on			4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of</i>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Better Law-Making of 13 April 2016*.			<u>13 April 2016</u> on Better Law-Making*.
606.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
607.	6. A delegated act adopted pursuant to Article 4(3) and Article 13 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission	6. A delegated act adopted pursuant to Article 4(3) and Article 13 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of <i>three</i> months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European		6. A delegated act adopted pursuant to Article 4(3) and Article 13 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of three months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That

* OJ L 123, 12.5.2016, p. 1.”;

* OJ L 123, 12.5.2016, p. 1.”;

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	that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by <i>three</i> months at the initiative of the European Parliament or of the Council.		period shall be extended by <i>three</i> months at the initiative of the European Parliament or of the Council.
608.	<i>Article 13b</i> Urgency procedure		<i>[deletion of the urgency procedure in Article 13b]</i>	<i>Article 13b</i> Urgency procedure
609.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.			1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.
610.	2. Either the European Parliament or the Council may object to a			2. Either the European Parliament or the Council may object to a

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	delegated act in accordance with the procedure referred to in Article 13a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.			delegated act in accordance with the procedure referred to in Article 13a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.
611.	(4) Article 14 is deleted.			(4) Article 14 is deleted.
612.	95. Regulation (EC) No 79/2009 of the European Parliament and of the Council of 14 January 2009 on type-approval of hydrogen-powered motor vehicles, and amending Directive 2007/46/EC¹¹⁵			95. Regulation (EC) No 79/2009 of the European Parliament and of the Council of 14 January 2009 on type-approval of hydrogen-powered motor vehicles, and amending Directive 2007/46/EC¹¹⁶
613.	In order to adapt Regulation (EC) No 79/2009 to technical progress as regards the safety of hydrogen powered vehicle, the power to adopt acts in accordance with			In order to adapt Regulation (EC) No 79/2009 to technical progress as regards the safety of hydrogen powered vehicle, the power to adopt acts in accordance with

¹¹⁵ OJ L 35, 4.2.2009, p. 32.

¹¹⁶ OJ L 35, 4.2.2009, p. 32.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	<p>Article 290 of the Treaty should be delegated to the Commission to supplement that Regulation with technical requirements for such vehicles as well as with administrative provisions, templates for administrative documents and models for markings. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically</p>			<p>Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to supplement that Regulation with technical requirements for such vehicles as well as with administrative provisions, templates for administrative documents and models for markings. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts,</p>

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	have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
614.	Accordingly, Regulation (EC) No 79/2009 is amended as follows:			Accordingly, Regulation (EC) No 79/2009 is amended as follows:
615.	(1) Article 12 is replaced by the following:			(1) Article 12 is replaced by the following:
616.	<i>“Article 12</i> Delegated powers			<i>“Article 12</i> Delegated powers
617.	The Commission is empowered to adopt delegated acts in accordance with Article 12a in the light of technical progress concerning:	The Commission is empowered to adopt delegated acts in accordance with Article 12a to supplement this Regulation in the light of technical progress concerning:”		The Commission is empowered to adopt delegated acts in accordance with Article 12a in order to supplement this Regulation in the light of technical progress by establishing: ”
618.	(a) detailed rules for the test procedures set out in Annexes II to V;			(a) detailed rules for the test procedures set out in Annexes II to V;

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619.	(b) detailed rules concerning the requirements for the installation of hydrogen components and systems set out in Annex VI;			(b) detailed rules concerning the requirements for the installation of hydrogen components and systems set out in Annex VI;
620.	(c) detailed rules concerning the requirements for the safe and reliable functioning of hydrogen components and systems set out in Article 5;			(c) detailed rules concerning the requirements for the safe and reliable functioning of hydrogen components and systems set out in Article 5;
621.	(d) specifications for requirements relating to any of the following:			(d) specifications for requirements relating to any of the following:
622.	(i) the use of pure hydrogen or a mixture of hydrogen and natural gas/biomethane;			(i) the use of pure hydrogen or a mixture of hydrogen and natural gas/biomethane;
623.	(ii) new forms of hydrogen storage or usage;			(ii) new forms of hydrogen storage or usage;
624.	(iii) the impact protection of vehicles with regard to the integrity of hydrogen components and systems;			(iii) the impact protection of vehicles with regard to the integrity of hydrogen components and systems;

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625.	(iv) integrated system safety requirements, covering at least the detection of leakage and requirements relating to purge gas;			(iv) integrated system safety requirements, covering at least the detection of leakage and requirements relating to purge gas;
626.	(v) electrical isolation and electric safety;			(v) electrical isolation and electric safety;
627.	(e) administrative provisions for the EC type-approval of vehicles, with regard to hydrogen propulsion, and hydrogen components and systems;			(e) administrative provisions for the EC type-approval of vehicles, with regard to hydrogen propulsion, and hydrogen components and systems;
628.	(f) rules on the information to be provided by manufacturers for the purposes of the type-approval and inspection referred to in Article 4(4) and (5);			(f) rules on the information to be provided by manufacturers for the purposes of the type-approval and inspection referred to in Article 4(4) and (5);
629.	(g) detailed rules for the labelling or other means of clear and rapid identification of hydrogen-powered vehicles referred to in point 16 of Annex VI; and			(g) detailed rules for the labelling or other means of clear and rapid identification of hydrogen-powered vehicles referred to in point 16 of Annex VI; and

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
630.	(h) other measures necessary for the application of this Regulation.			(h) other measures necessary for the application of this Regulation.
631.	(2) the following Article 12a is inserted:			(2) the following Article 12a is inserted:
632.	<i>“Article 12a</i> Exercise of the delegation			<i>“Article 12a</i> Exercise of the delegation
633.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
634.	2. The power to adopt delegated acts referred to in Article 12 shall be conferred on the Commission for an indeterminate period of time from the date of entry into force of this Regulation.	2. The power to adopt delegated acts referred to in Article 12 shall be conferred on the Commission for a period of <i>five years from ...</i> [date of entry into force of this <i>amending</i> Regulation]. <i>The Commission shall draw up a report in respect of the delegation</i>	2. The power to adopt delegated acts referred to in Article 12 shall be conferred on the Commission for [...] a period of five years from[date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods	

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		<i>of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
635.	3. The delegation of power referred to in Article 12 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It			3. The delegation of power referred to in Article 12 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It

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	shall not affect the validity of any delegated acts already in force.			shall not affect the validity of any delegated acts already in force.
636.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016* .			4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the <i>Interinstitutional Agreement of <u>13 April 2016</u></i> on Better Law-Making*.
637.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
638.	6. A delegated act adopted pursuant to Article 12 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and	6. A delegated act adopted pursuant to Article 12 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of <i>three</i>		6. A delegated act adopted pursuant to Article 6(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of three months of notification of that act to the

* OJ L 123, 12.5.2016, p.1.”

* OJ L 123, 12.5.2016, p.1.”

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	the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by <i>three</i> months at the initiative of the European Parliament or of the Council.		European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by three months at the initiative of the European Parliament or of the Council.
639.	(3) Article 13 is deleted.			(3) Article 13 is deleted.
640.	96. Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives			96. Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	2004/17/EC and 2004/18/EC ¹¹⁷			and security, and amending Directives 2004/17/EC and 2004/18/EC ¹¹⁸
641.	In order to adapt Directive 2009/81/EC to rapid technical, economic and regulatory developments, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the threshold amounts for contracts in order to align them to those laid down in Directive 2014/25/EU of the European Parliament and of the Council ¹¹⁹ , to amend the references to the Common Procurement Vocabulary (CPV nomenclature) and to amend certain reference numbers in the CPV nomenclature and the			In order to adapt Directive 2009/81/EC to rapid technical, economic and regulatory developments, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend the threshold amounts for contracts in order to align them to those laid down in Directive 2014/25/EU of the European Parliament and of the Council ¹²⁰ . to amend the references to the Common Procurement

¹¹⁷ OJ L 216, 20.8.2009, p. 76

¹¹⁸ OJ L 216, 20.8.2009, p. 76

¹¹⁹ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L94, 28.3.2014, p.243).

¹²⁰ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L94, 28.3.2014, p.243).

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	<p>procedures for reference in notices to certain headings in the CPV nomenclature. As the technical details and characteristics of the devices for electronic receipt should be kept up to date with technological developments, it is also necessary to empower the Commission to amend the technical details and characteristics of devices for electronic receipt. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same</p>			<p>Vocabulary (CPV nomenclature) and to amend certain reference numbers in the CPV nomenclature and the procedures for reference in notices to certain headings in the CPV nomenclature. As the technical details and characteristics of the devices for electronic receipt should be kept up to date with technological developments, it is also necessary to empower the Commission to amend the technical details and characteristics of devices for electronic receipt. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In</p>

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	time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
642.	Accordingly, Directive 2009/81/EC is amended as follows:			Accordingly, Directive 2009/81/EC is amended as follows:
643.	(1) Article 68(1) is amended as follows:			(1) Article 68(1) is amended as follows:
644.	(a) the second subparagraph is replaced by the following:			(a) the second subparagraph is replaced by the following:
645.	"The Commission is empowered to adopt delegated acts in accordance with Article 66a amending the			"The Commission is empowered to adopt delegated acts in accordance with Article 66a amending the thresholds as

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	thresholds as provided for in the first subparagraph;"			provided for in the first subparagraph;"
646.	(b) the following third subparagraph is inserted:			(b) the following third subparagraph is inserted:
647.	"Where it is necessary to revise the thresholds as provided for in the first subparagraph, and time constraints prevent the use of the procedure set in Article 66a and therefore imperative grounds of urgency so require, the procedure provided for in Article 66b shall apply to delegated acts adopted pursuant to this paragraph.";			"Where it is necessary to revise the thresholds as provided for in the first subparagraph, and time constraints prevent the use of the procedure set in Article 66a and therefore imperative grounds of urgency so require, the procedure provided for in Article 66b shall apply to delegated acts adopted pursuant to this paragraph.";
648.	(2) in Article 69, paragraph 2 is replaced by the following:			(2) in Article 69, paragraph 2 is replaced by the following:
649.	"2. The Commission is empowered to adopt delegated acts in accordance with Article 66a amending:			"2. The Commission is empowered to adopt delegated acts in accordance with Article 66a amending:
650.	(a) the reference numbers in the CPV nomenclature set out in			(a) the reference numbers in the CPV nomenclature set out in

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	Annexes I and II, insofar as this does not change the material scope of this Directive, and the procedures for reference in the notices to particular headings in the CPV nomenclature within the categories of services listed in those Annexes;			Annexes I and II, insofar as this does not change the material scope of this Directive, and the procedures for reference in the notices to particular headings in the CPV nomenclature within the categories of services listed in those Annexes;
651.	(b) the technical details and characteristics of the devices for electronic receipt referred to in points (a), (f) and (g) of Annex VIII.";			(b) the technical details and characteristics of the devices for electronic receipt referred to in points (a), (f) and (g) of Annex VIII.";
652.	(3) the following Articles 66a and 66 b are inserted:			(3) the following Articles 66a and 66 b are inserted:
653.	"Article 66a Exercise of the delegation			"Article 66a Exercise of the delegation
654.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

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655.	2. The power to adopt delegated acts referred to in Article 68(1) and Article 69(2) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 68(1) and Article 69(2) shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	2. The power to adopt delegated acts referred to in Article 68(1) and Article 69(2) shall be conferred on the Commission for [...] a period of five years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

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656.	3. The delegation of power referred to in Article 68(1) and Article 69(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 68(1) and Article 69(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
657.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016* .			4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of</i>

* OJ L 123, 12.5.2016, p.1.”

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				<u>13 April 2016</u> on Better Law-Making *.
658.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
659.	6. A delegated act adopted pursuant to Article 68(1) and Article 69(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be	6. A delegated act adopted pursuant to Article 68(1) and Article 69(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of <i>three</i> months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the		6. A delegated act adopted pursuant to Article 6(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of three months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by

* OJ L 123, 12.5.2016, p.1.”

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	extended by two months at the initiative of the European Parliament or of the Council.	Council have both informed the Commission that they will not object. That period shall be extended by <i>three</i> months at the initiative of the European Parliament or of the Council.		<i>three</i> months at the initiative of the European Parliament or of the Council.
660.	<i>Article 66b</i> Urgency procedure			Article 66b Urgency procedure
661.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.			1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.
662.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article			2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	66a (6). In such a case, the Commission shall repeal the act without delay following the notification of the decision to object by the European Parliament or by the Council.			referred to in Article 66a (6). In such a case, the Commission shall repeal the act without delay following the notification of the decision to object by the European Parliament or by the Council.
663.	(6) in Article 67, paragraphs 3 and 4 are deleted.			(6) in Article 67, paragraphs 3 and 4 are deleted.
664.	X. JUSTICE AND CONSUMERS			X. JUSTICE AND CONSUMERS
665.	100. Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)¹²¹			100. Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of

¹²¹ OJ L 348, 28.11.1992, p. 1.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				Directive 89/391/EEC)¹²²
666.	In order to take account of technical progress, changes in international regulations or specifications and new findings, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annex I to Directive 92/85/EEC in a technical way . It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016 . In particular, to ensure equal participation in the preparation of delegated acts, the		In order to take account of technical progress, changes in international regulations or specifications and new findings, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to [...] make strictly technical amendments to Annex I to Directive 92/85/EEC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their	In order to take account of technical progress, changes in international regulations or specifications and new findings, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to <i>make strictly technical amendments to</i> Annex I to Directive 92/85/EEC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making. In particular, to ensure

¹²² OJ L 348, 28.11.1992, p. 1.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	equal participation in the preparation of delegated acts, the European Parliament and <i>the</i> Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
667.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003 ¹²³ .	<i><u>In accordance with Council Decision of 22 July 2003¹²⁴ the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work.</u></i>
668.	Accordingly, Directive 92/85/EEC is amended as follows:			Accordingly, Directive 92/85/EEC is amended as follows:
669.	(1) in Article 13, paragraph 1 is replaced by the following:			(1) Article 13 is replaced by the following:
670.	"1. The Commission is empowered to adopt delegated acts in accordance with Article 13a amending Annex I, in a		"1. The Commission is empowered to adopt delegated acts in accordance with Article 13a introducing strictly technical amendments to [...] Annex	<u>"The Commission is empowered to adopt delegated acts in accordance with Article 13a to make strictly technical</u>

123 Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

124 Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	technical way, in order to take account of technical progress, changes in international regulations or specifications and new findings.		I [...], in order to take account of technical progress, changes in international regulations or specifications and new findings.	<i>amendments to</i> Annex I in order to take account of technical progress, changes in international regulations or specifications and new findings.
671.	Where, in the case of possible imminent risks to the health or safety of pregnant workers, workers who have recently given birth or breastfeeding workers, imperative grounds of urgency so require, the procedure provided for in Article 13b shall apply to delegated acts adopted pursuant to this paragraph.";		[...]";	NB: depending on the outcome of the negotiations on urgency procedure, the following compromise wording proposal could be considered: <i><u>Where, in duly justified and exceptional cases of [possible] imminent and serious risks to workers' health and safety, which can directly endanger their physical integrity or that of other persons, imperative grounds of urgency require to act in a very short timeframe, the procedure provided for in Article 13b shall apply to</u></i>

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				<i><u>delegated acts adopted pursuant to this Article.</u></i> ¹²⁵
672.			(1a) in Article 13, paragraph 2 is deleted.	<i><u>(1a) in Article 13, paragraph 2 is deleted.</u></i>
673.	(2) the following Articles 13a and 13b are inserted:		(2) the following Article[...] 13a [...] is [...] inserted:	NB: the wording of introductory phrase depends on whether or not the urgency procedure will be kept in this Act.
674.	"Article 13a Exercise of the delegation			"Article 13a Exercise of the delegation
675.	1. The power to adopt delegated acts is conferred on the Commission subject to the			1. The power to adopt delegated acts is conferred on the Commission subject to the

¹²⁵ This wording on the urgency procedure concerns in total 16 acts in the package (acts 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 23, 24, 25, 26, 28 and 100) and if it is agreed to keep the urgency procedure, this wording would apply to all of them.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	conditions laid down in this Article.			conditions laid down in this Article.
676.	2. The power to adopt delegated acts referred to in Article 13(1) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 13(1) shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	2. The power to adopt delegated acts referred to in Article 13(1) shall be conferred on the Commission for [...] a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
677.	3. The delegation of power referred to in Article 13(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 13(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
678.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement on		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of [...] 13 April 2016 Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016 on Better Law-Making*</i> .

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Better Law-Making of 13 April 2016 ¹²⁶ .			
679.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
680.	6. A delegated act adopted pursuant to Article 13(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That			6. A delegated act adopted pursuant to Article 13(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That

¹²⁶ OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	period shall be extended by two months at the initiative of the European Parliament or the Council.			period shall be extended by two months at the initiative of the European Parliament or <i>of</i> the Council.
681.	<i>Article 13b</i> Urgency procedure		[<i>deletion of Article 13b urgency procedure</i>]	NB: depending on the outcome of negotiations on the urgency procedure, if agreed then the standard text of the provision, as proposed by the Commission, would be inserted.
682.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
683.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 13a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.			
684.	101. Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EC¹²⁷			101. Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EC¹²⁸
685.	In order to update Directive 2008/48/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be		In order to update Directive 2008/48/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the	In order to update Directive 2008/48/EC, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the</i>

¹²⁷ OJ L 133, 22.5.2008, p. 66.

¹²⁸ OJ L 133, 22.5.2008, p. 66.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	<p>delegated to the Commission to amend that Directive to add additional assumptions for the calculation of the annual percentage rate or to modify the existing assumptions. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert</p>		<p>Commission to amend that Directive to add additional assumptions for the calculation of the annual percentage rate or to modify the existing assumptions. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p><i>Functioning of the European Union</i> should be delegated to the Commission to amend that Directive to add additional assumptions for the calculation of the annual percentage rate or to modify the existing assumptions. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to</p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	groups dealing with the preparation of delegated acts.			meetings of Commission expert groups dealing with the preparation of delegated acts.
686.	Accordingly, Directive 2008/48/EC is amended as follows:			Accordingly, Directive 2008/48/EC is amended as follows:
687.	(1) in Article 19, paragraph 5 is replaced by the following:			(1) in Article 19, paragraph 5 is replaced by the following:
688.	"5. Where necessary, the additional assumptions set out in Annex I may be used in calculating the annual percentage rate of the charge.			"5. Where necessary, the additional assumptions set out in Annex I may be used in calculating the annual percentage rate of the charge.
689.	If the assumptions set out in this Article and in Part II of Annex I do not suffice to calculate the annual percentage rate of the charge in a uniform manner or are no longer adapted to the commercial situations in the market, the Commission is empowered to adopt delegated acts in accordance with Article		If the assumptions set out in this Article and in Part II of Annex I do not suffice to calculate the annual percentage rate of the charge in a uniform manner or are no longer adapted to the commercial situations in the market, the Commission is empowered to adopt delegated acts in accordance with Article 24a amending this Article and Part II of Annex I to	If the assumptions set out in this Article and in Part II of Annex I do not suffice to calculate the annual percentage rate of the charge in a uniform manner or are no longer adapted to the commercial situations in the market, the Commission is empowered to adopt delegated acts in accordance with Article

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	24a amending this Article and Annex I to add the necessary additional assumptions for the calculation of the annual percentage rate of charge or to modify the existing ones.";		add the necessary additional assumptions for the calculation of the annual percentage rate of charge or to modify the existing ones.";	24a amending this Article and <i>Part II of</i> Annex I to add the necessary additional assumptions for the calculation of the annual percentage rate of charge or to modify the existing ones.";
690.	(2) the following Article 24a is inserted:			(2) the following Article 24a is inserted:
691.	" <i>Article 24a</i> Exercise of the delegation			" <i>Article 24a</i> Exercise of the delegation
692.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
693.	2. The power to adopt delegated acts referred to in Article 19(5) shall be conferred on the Commission for an indeterminate period of time from [the entry into force of this	2. The power to adopt delegated acts referred to in Article 19(5) shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [<i>date of</i> entry into force of this	2. The power to adopt delegated acts referred to in Article 19(5) shall be conferred on the Commission for [...] a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Omnibus].	<i>amending Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	report in respect of the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
694.	3. The delegation of power referred to in Article 19(5) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official</i>			3. The delegation of power referred to in Article 19(5) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official</i>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	<i>Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			<i>Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
695.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 ¹²⁹ .		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making*.
696.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
697.	6. A delegated act adopted pursuant to Article 19(5) shall	6. A delegated act adopted pursuant to		6. A delegated act adopted pursuant to Article 6(2) shall

¹²⁹ OJ L 123, 12.5.2016, p.1.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	Article 19(5) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of <i>three</i> months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by <i>three</i> months at the initiative of the European Parliament or of the Council.		enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of three months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by three months at the initiative of the European Parliament or of the Council.
698.	(3) Article 25 is deleted.			(3) Article 25 is deleted.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
699.	XI. MOBILITY AND TRANSPORT			XI. MOBILITY AND TRANSPORT
700.	103. Council Directive 95/50/EC of 6 October 1995 on uniform procedures for checks on the transport of dangerous goods by road¹³⁰			103. Council Directive 95/50/EC of 6 October 1995 on uniform procedures for checks on the transport of dangerous goods by road¹³¹
701.	In order to adapt Directive 95/50/EC to scientific and technical progress, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Directive, in particular to take account of amendments to Directive 2008/68/EC of the European Parliament and of the Council ¹³² . It is of particular importance that the Commission carry out appropriate		In order to adapt Directive 95/50/EC to scientific and technical progress, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Directive, in particular to take account of amendments to Directive 2008/68/EC of the European Parliament and of the Council*. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be	In order to adapt Directive 95/50/EC to scientific and technical progress, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend the Annexes to that Directive, in particular to take account of amendments to Directive 2008/68/EC of the European Parliament and of the Council*. It is of particular importance that

¹³⁰ OJ L 249, 17.10.1995, p. 35.

¹³¹ OJ L 249, 17.10.1995, p. 35.

¹³² Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
702.	Accordingly, Directive 95/50/EC is amended as follows:			Accordingly, Directive 95/50/EC is amended as follows:
703.	(1) Article 9a is replaced by the following:			(1) Article 9a is replaced by the following:

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
704.	" <i>Article 9a</i>			"Article 9a
705.	The Commission is empowered to adopt delegated acts in accordance with Article 9aa amending the Annexes in order to adapt them to scientific and technical progress in the fields covered by this Directive, in particular to take account of amendments to Directive 2008/68/EC of the European Parliament and of the Council ¹³³ .			The Commission is empowered to adopt delegated acts in accordance with Article 9aa amending the Annexes in order to adapt them to scientific and technical progress in the fields covered by this Directive, in particular to take account of amendments to Directive 2008/68/EC of the European Parliament and of the Council ¹³⁴ .
706.	(2) the following Article 9aa is inserted:			(2) the following Article 9aa is inserted:
707.	" <i>Article 9aa</i>			"Article 9aa

¹³³ Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13).";

¹³⁴ Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13).";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
708.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
709.	2. The power to adopt delegated acts referred to in Article 9a shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The <i>power to adopt delegated acts</i> referred to in Article 9a shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes</i>	2. The power to adopt delegated acts referred to in Article 9a shall be conferred on the Commission for a period of five years [...] from [...] the entry into force of this Regulation [...]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<p><i>such extension not later than three months before the end of each period.</i></p> <p>[NB: Technical correction to AM 330 (as in COM text).]</p>		
710.	<p>3. The delegation of power referred to in Article 9a may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.</p>			<p>3. The delegation of power referred to in Article 9a may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.</p>
711.	<p>4. Before adopting a delegated act, the Commission shall consult experts designated by</p>		<p>4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in</p>	<p>4. Before adopting a delegated act, the Commission shall consult experts designated by</p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 ¹³⁵ .		accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making.
712.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
713.	6. A delegated act adopted pursuant to Article 9a shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the			6. A delegated act adopted pursuant to Article 9a shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the

¹³⁵ * OJ L 123, 12.5.2016, p. 1.";

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
714.	(3) Article 9b is deleted.			(3) Article 9b is deleted.
715.	107. Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC¹³⁶			107. Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC¹³⁷
716.	In order to adapt Directive 2002/59/EC to the evolution of Union and international law and to the experience gained in its			In order to adapt Directive 2002/59/EC to the evolution of Union and international law and to the experience gained in its

¹³⁶ OJ L 208, 5.8.2002, p. 10.

¹³⁷ OJ L 208, 5.8.2002, p. 10.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	implementation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend:			implementation, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend:
717.	- the references to Union and IMO instruments in that Directive, in order to bring them into line with provisions of Union or international law,			- the references to Union and IMO instruments in that Directive, in order to bring them into line with provisions of Union or international law,
718.	- certain definitions in that Directive, in order to bring them into line with other provisions of Union or international law;			- certain definitions in that Directive, in order to bring them into line with other provisions of Union or international law;
719.	- Annexes I, III and IV to that Directive in the light of technical progress and experience gained with that Directive.			- Annexes I, III and IV to that Directive in the light of technical progress and experience gained with that Directive.
720.	It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including		It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and	It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
721.	Accordingly, Directive 2002/59/EC is amended as follows:			Accordingly, Directive 2002/59/EC is amended as follows:
722.	(1) Article 27 is replaced by the following:			(1) Article 27 is replaced by the following:
723.	"Article 27 Amendments			"Article 27 Amendments

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
724.	1. The Commission is empowered to adopt delegated acts in accordance with Article 27a amending references to Union and IMO instruments in this Directive and the definitions in Article 3 and the Annexes in order to bring them into line with provisions of Union or international law which have been adopted or amended or which have entered into force, in so far as such amendments do not broaden the scope of this Directive.			1. <u><i>Within the scope of the Directive as defined in Article 2,</i></u> the Commission is empowered to adopt delegated acts in accordance with Article 27a amending references to Union and IMO instruments in this Directive and the definitions in Article 3 and the Annexes in order to bring them into line with provisions of Union or international law which have been adopted or amended or which have entered into force.
725.	2. The Commission is empowered to adopt delegated acts in accordance with Article 27a amending Annexes I, III and IV in the light of technical progress and experience gained with this Directive, in so far as such amendments do not broaden its scope.";		2. The Commission is empowered to adopt delegated acts in accordance with Article 27a amending Annexes I, III and IV in order to adapt them to [...] technical progress and experience gained with this Directive, in so far as such amendments do not broaden its scope.";	2. <u><i>Within the scope of the Directive as defined in Article 2,</i></u> the Commission is empowered to adopt delegated acts in accordance with Article 27a amending Annexes I, III and IV in the light of technical progress and experience gained with this Directive. ";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
726.	(2) the following Article 27a is inserted:			(2) the following Article 27a is inserted:
727.	<i>"Article 27a</i> Exercise of the delegation			<i>"Article 27a</i> Exercise of the delegation
728.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
729.	2. The power to adopt delegated acts referred to in Article 27 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 27 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of</i>	2. The power to adopt delegated acts referred to in Article 27 shall be conferred on the Commission for a period of five years [...] from [...] the entry into force of this Regulation [...]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	than three months before the end of each period.	
730.	3. The delegation of power referred to in Article 27 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 27 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
731.	4. Before adopting a delegated act, the Commission shall		4. Before adopting a delegated act, the Commission shall consult experts	4. Before adopting a delegated act, the Commission shall

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 ¹³⁸ .		designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making.
732.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
733.	6. A delegated act adopted pursuant to Article 27 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the			6. A delegated act adopted pursuant to Article 27 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the

¹³⁸ OJ L 123, 12.5.2016, p. 1.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
734.	(3) Article 28 is deleted.			(3) Article 28 is deleted.
735.	108. Regulation (EC) No 2099/2002 of the European Parliament and of the Council of 5 November 2002 establishing a Committee on Safe Seas and the Prevention of Pollution from Ships (COSS) and amending the Regulations on maritime safety and the prevention of pollution from ships¹³⁹			108. Regulation (EC) No 2099/2002 of the European Parliament and of the Council of 5 November 2002 establishing a Committee on Safe Seas and the Prevention of Pollution from Ships (COSS) and amending the Regulations on maritime safety and the prevention of pollution from ships¹⁴⁰

¹³⁹ OJ L 324, 29.11.2002, p. 1.

¹⁴⁰ OJ L 324, 29.11.2002, p. 1.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
736.	<p>In order to update the list of Union acts referring to the Committee on Safe Seas and the Prevention of Pollution from Ships (COSS) in Regulation (EC) No 2099/2002, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend that Regulation to include a reference to the Union acts conferring powers on the COSS that have entered into force. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the</p>		<p>In order to update the list of Union acts referring to the Committee on Safe Seas and the Prevention of Pollution from Ships (COSS) in Regulation (EC) No 2099/2002, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend that Regulation to include a reference to the Union acts conferring powers on the COSS that have entered into force. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to</p>	<p>In order to update the list of Union acts referring to the Committee on Safe Seas and the Prevention of Pollution from Ships (COSS) in Regulation (EC) No 2099/2002, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend that Regulation to include a reference to the Union acts conferring powers on the COSS that have entered into force. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure</p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		meetings of Commission expert groups dealing with the preparation of delegated acts.	equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
737.	Accordingly, Regulation (EC) No 2099/2002 is amended as follows:			Accordingly, Regulation (EC) No 2099/2002 is amended as follows:
738.	(1) in Article 3, paragraph 3 is deleted;			(1) in Article 3, paragraph 3 is deleted;
739.	(2) Article 7 is replaced by the following:			(2) Article 7 is replaced by the following:
740.	<i>"Article 7</i> Powers of COSS and amendments			<i>"Article 7</i> Powers of COSS and amendments
741.	COSS shall exercise the powers conferred on it by virtue of the			COSS shall exercise the powers conferred on it by virtue of the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Union maritime legislation in force.			Union maritime legislation in force.
742.	The Commission is empowered to adopt delegated acts in accordance with Article 7a amending Article 2(2) in order to include a reference to the Union acts conferring powers on COSS that have entered into force following the adoption of this Regulation.";			The Commission is empowered to adopt delegated acts in accordance with Article 7a amending Article 2(2) in order to include a reference to the Union acts conferring powers on COSS that have entered into force following the adoption of this Regulation.";
743.	(3) the following Article 7a is inserted:			(3) the following Article 7a is inserted:
744.	<i>"Article 7a</i> Exercise of the delegation			<i>"Article 7a</i> Exercise of the delegation
745.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
746.	2. The power to adopt delegated acts referred to in Article 7 shall	2. The power to adopt delegated acts referred to	2. The power to adopt delegated acts referred to in Article 7 shall be	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	be conferred on the Commission for an indeterminate period of time from [date of the entry into force of this Omnibus].	in Article 7 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	conferred on the Commission for a period of five years [...]from [...] the entry into force of this Regulation [...]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
747.	3. The delegation of power referred to in Article 7 may be revoked at any time by the European Parliament or by the Council. A decision to revoke			3. The delegation of power referred to in Article 7 may be revoked at any time by the European Parliament or by the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
748.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 ¹⁴¹ .		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.
749.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to

¹⁴¹ OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	the European Parliament and to the Council.			the European Parliament and to the Council.
750.	6. A delegated act adopted pursuant to Article 7 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			6. A delegated act adopted pursuant to Article 7 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
751.	109. Directive 2003/25/EC of the European Parliament and of the Council of 14 April 2003 on specific stability			109. Directive 2003/25/EC of the European Parliament and of the Council of 14 April 2003 on specific stability

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	requirements for ro-ro passenger ships ¹⁴²			requirements for ro-ro passenger ships ¹⁴³
752.	In order to adapt Directive 2003/25/EC to technical progress, to developments at international level and to experience gained in its implementation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April		In order to adapt Directive 2003/25/EC to technical progress, to developments at international level and to experience gained in its implementation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council	In order to adapt Directive 2003/25/EC to technical progress, to developments at international level and to experience gained in its implementation, the power to adopt acts in accordance with Article 290 of the <i>Treaty on the Functioning of the European Union</i> should be delegated to the Commission to amend the Annexes to that Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the

¹⁴² OJ L 123, 17.5.2003, p. 22.

¹⁴³ OJ L 123, 17.5.2003, p. 22.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
753.	Accordingly, Directive 2003/25/EC is amended as follows:			Accordingly, Directive 2003/25/EC is amended as follows:
754.	(1) Article 10 is replaced by the following:			(1) Article 10 is replaced by the following:
755.	<i>"Article 10</i> Amendment of Annexes			<i>"Article 10</i> Amendment of Annexes
756.	The Commission is empowered to adopt delegated acts in accordance with Article 10a			The Commission is empowered to adopt delegated acts in accordance with Article 10a

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	amending the Annexes in order to take account of developments at international level, in particular in the International Maritime Organisation (IMO), and to improve the effectiveness of this Directive in the light of experience and technical progress.";			amending the Annexes in order to take account of developments at international level, in particular in the International Maritime Organisation (IMO), and to improve the effectiveness of this Directive in the light of experience and technical progress.";
757.	(2) the following Article 10a is inserted:			(2) the following Article 10a is inserted:
758.	<i>"Article 10a</i> Exercise of the delegation			<i>"Article 10a</i> Exercise of the delegation
759.	1. The power to adopt delegated acts referred to in Article 10 is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts [...] is conferred on the Commission subject to the conditions laid down in this Article.		1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
760.	2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for an	2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the	2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for a period of five years [...] from [...]	

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	indeterminate period of time from [date of entry into force of this Omnibus].	Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	the entry into force of this Regulation [...]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
761.	3. The delegation of power referred to in Article 10 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that			3. The delegation of power referred to in Article 10 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
762.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 ¹⁴⁴ .		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.
763.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

¹⁴⁴ OJ L 123, 12.5.2016, p. 1.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
764.	6. A delegated act adopted pursuant to Article 10 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			6. A delegated act adopted pursuant to Article 10 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
765.	(3) Article 11 is deleted.			(3) Article 11 is deleted.
766.	110. Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on initial qualification and periodic training of drivers of certain road vehicles for the			110. Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on initial qualification and periodic training of drivers of certain road vehicles for the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC¹⁴⁵			carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC¹⁴⁶
767.	In order to adapt Directive 2003/59/EC to scientific and technical progress, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I and II to that Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the		In order to adapt Directive 2003/59/EC to scientific and technical progress, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I and II to that Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the	In order to adapt Directive 2003/59/EC to scientific and technical progress, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend Annexes I and II to that Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles

¹⁴⁵ OJ L 226, 10.9.2003, p. 4.

¹⁴⁶ OJ L 226, 10.9.2003, p. 4.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Interinstitutional Agreement on Better Law-Making of 13 April 2016 . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
768.	Accordingly, Directive 2003/59/EC is amended as follows:			Accordingly, Directive 2003/59/EC is amended as follows:
769.	(1) Article 11 is replaced by the following: <i>"Article 11</i> Adaptation to scientific and technical progress			(1) Article 11 is replaced by the following: <i>"Article 11</i> Adaptation to scientific and technical progress

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
770.	The Commission is empowered to adopt delegated acts in accordance with Article 11a amending Annexes I and II in order to adapt them to scientific and technical progress.";			The Commission is empowered to adopt delegated acts in accordance with Article 11a amending Annexes I and II in order to adapt them to scientific and technical progress.";
771.	(2) the following Article 11a is inserted:			(2) the following Article 11a is inserted:
772.	<i>"Article 11a</i> Exercise of the delegation			<i>"Article 11a</i> Exercise of the delegation
773.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
774.	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>].	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for a period of five years [...] from [...] the entry into force of this Regulation [...]. The Commission shall draw up a report in respect of the delegation of power not later than nine months	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
775.	3. The delegation of power referred to in Article 11 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i>			3. The delegation of power referred to in Article 11 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official</i>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			<i>Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
776.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 ¹⁴⁷ .		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making.
777.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

¹⁴⁷ OJ L 123, 12.5.2016, p. 1.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
778.	6. A delegated act adopted pursuant to Article 11 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			6. A delegated act adopted pursuant to Article 11 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
779.	(3) Article 12 is deleted.			(3) Article 12 is deleted.
780.	115. Regulation (EC) No 785/2004 of the European Parliament and of the Council of 21 April 2004 on insurance			115. Regulation (EC) No 785/2004 of the European Parliament and of the Council of 21 April 2004 on insurance

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	requirements for air carriers and aircraft operators¹⁴⁸			requirements for air carriers and aircraft operators¹⁴⁹
781.	In order to adapt Regulation (EC) No 785/2004 to the evolution of international law, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend certain values in that Regulation in the light of amendments to international agreements. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure		In order to adapt Regulation (EC) No 785/2004 to the evolution of international law, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend certain values in that Regulation in the light of amendments to international agreements. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all	In order to adapt Regulation (EC) No 785/2004 to the evolution of international law, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend certain values in that Regulation in the light of amendments to international agreements. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of</i>

¹⁴⁸ OJ L 138, 30.4.2004, p. 1.

¹⁴⁹ OJ L 138, 30.4.2004, p. 1.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	<i>13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
782.	Accordingly, Regulation (EC) No 785/2004 is amended as follows:			Accordingly, Regulation (EC) No 785/2004 is amended as follows:
783.	(1) in Article 6, paragraph 5 is replaced by the following:			(1) in Article 6, paragraph 5 is replaced by the following:

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
784.	"5. The Commission is empowered to adopt delegated acts in accordance with Article 8a amending the values referred to in paragraphs 1, 2 and 3 of this Article where amendments to the relevant international agreements make this necessary.";			"5. The Commission is empowered to adopt delegated acts in accordance with Article 8a amending the values referred to in paragraphs 1, 2 and 3 of this Article where amendments to the relevant international agreements make this necessary.";
785.	(2) in Article 7, paragraph 2 is replaced by the following:			(2) in Article 7, paragraph 2 is replaced by the following:
786.	"2. The Commission is empowered to adopt delegated acts in accordance with Article 8a amending the values referred to in paragraph 1 of this Article where amendments to the relevant international agreements make this necessary.";			"2. The Commission is empowered to adopt delegated acts in accordance with Article 8a amending the values referred to in paragraph 1 of this Article where amendments to the relevant international agreements make this necessary.";
787.	(3) the following Article 8a is inserted:			(3) the following Article 8a is inserted:

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
788.	"Article 8a Exercise of the delegation			"Article 8a Exercise of the delegation
789.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
790.	2. The power to adopt delegated acts referred to in Article 6(5) and Article 7(2) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 6(5) and Article 7(2) shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year- period. The delegation of power shall be tacitly extended for</i>	2. The power to adopt delegated acts referred to in Article 6(5) and Article 7(2) shall be conferred on the Commission for a period of five years [...] from [[...] the entry into force of this Regulation [...]]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>		
791.	3. The delegation of power referred to in Article 6(5) and Article 7(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 6(5) and Article 7(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
792.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016* .		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making.
793.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
794.	6. A delegated act adopted pursuant to Article 6(5) and Article 7(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry			6. A delegated act adopted pursuant to Article 6(5) and Article 7(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry

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	of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
795.	(4) in Article 9, paragraph 3 is deleted.			(4) in Article 9, paragraph 3 is deleted.
796.	116. Regulation (EC) No 789/2004 of the European Parliament and of the Council of 21 April 2004 on the transfer of cargo and passenger ships between registers within the Community and repealing Council Regulation (EEC) No 613/91¹⁵⁰			116. Regulation (EC) No 789/2004 of the European Parliament and of the Council of 21 April 2004 on the transfer of cargo and passenger ships between registers within the Community and repealing Council Regulation (EEC) No 613/91¹⁵¹

¹⁵⁰ OJ L 138, 30.4.2004, p. 19.

¹⁵¹ OJ L 138, 30.4.2004, p. 19.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
797.	In order to adapt Regulation (EC) No 789/2004 to developments at international level, in particular in the International Maritime Organisation, and to improve the effectiveness of that Regulation in the light of experience and technical progress, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend certain definitions in that Regulation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the		In order to adapt Regulation (EC) No 789/2004 to developments at international level, in particular in the International Maritime Organisation, and to improve the effectiveness of that Regulation in the light of experience and technical progress, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend certain definitions in that Regulation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to	In order to adapt Regulation (EC) No 789/2004 to developments at international level, in particular in the International Maritime Organisation, and to improve the effectiveness of that Regulation in the light of experience and technical progress, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend certain definitions in that Regulation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		meetings of Commission expert groups dealing with the preparation of delegated acts.	equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
798.	Accordingly, Regulation (EC) No 789/2004 is amended as follows:			Accordingly, Regulation (EC) No 789/2004 is amended as follows:
799.	(1) in Article 7, paragraph 3 is deleted;			(1) in Article 7, paragraph 3 is deleted;
800.	(2) in Article 9, paragraph 1 is replaced by the following:			(2) in Article 9, paragraph 1 is replaced by the following:
801.	"1. The Commission is empowered to adopt delegated acts in accordance with Article 9a amending the definitions in Article 2 in order to take account of developments at international			"1. <i>Within the scope of the Regulation as defined in Article 3,</i> the Commission is empowered to adopt delegated acts in accordance with Article 9a amending the definitions in

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	level, in particular in the International Maritime Organisation (IMO), and to improve the effectiveness of this Regulation in the light of experience and technical progress, insofar as such amendments do not broaden the scope of this Regulation.";			Article 2 in order to take account of developments at international level, in particular in the International Maritime Organisation (IMO), and to improve the effectiveness of this Regulation in the light of experience and technical progress.";
802.	(3) the following Article 9a is inserted:			(3) the following Article 9a is inserted:
803.	<i>"Article 9a</i> Exercise of the delegation			<i>"Article 9a</i> Exercise of the delegation
804.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
805.	2. The power to adopt delegated acts referred to in Article 9(1) shall be conferred on the Commission for an indeterminate period of time	2. The power to adopt delegated acts referred to in Article 9(1) shall be conferred on the Commission for <i>a</i> period	2. The power to adopt delegated acts referred to in Article 9(1) shall be conferred on the Commission for a period of five years [...] from [...] the entry into force of this Regulation	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	from [date of entry into force of this Omnibus].	of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	[...]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
806.	3. The delegation of power referred to in Article 9(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the			3. The delegation of power referred to in Article 9(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
807.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016* .		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making.
808.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
809.	6. A delegated act adopted pursuant to Articles 9(1) shall			6. A delegated act adopted pursuant to Articles 9(1) shall

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
810.	118. Directive 2005/44/EC of the European Parliament and of the Council of 7 September 2005 on harmonised river information services (RIS) on inland waterways in the Community¹⁵²			118. Directive 2005/44/EC of the European Parliament and of the Council of 7 September 2005 on harmonised river information services (RIS) on

¹⁵² OJ L 255, 30.9.2005, p. 152.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				inland waterways in the Community¹⁵³
811.	In order to adapt Directive 2005/44/EC to technical progress and to take into account experience gained from its application, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I and II to that Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the		In order to adapt Directive 2005/44/EC to technical progress and to take into account experience gained from its application, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I and II to that Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their	In order to adapt Directive 2005/44/EC to technical progress and to take into account experience gained from its application, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend Annexes I and II to that Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure

¹⁵³ OJ L 255, 30.9.2005, p. 152.

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	preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
812.	Accordingly, Directive 2005/44/EC is amended as follows:			Accordingly, Directive 2005/44/EC is amended as follows:
813.	(1) Article 10 is replaced by the following:			(1) Article 10 is replaced by the following:
814.	<i>"Article 10</i> Amendments to Annexes I and II			<i>"Article 10</i> Amendments to Annexes I and II
815.	The Commission is empowered to adopt delegated acts in accordance with Article 10a amending Annexes I and II in the light of the experience			The Commission is empowered to adopt delegated acts in accordance with Article 10a amending Annexes I and II in the light of the experience

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	gained from the application of this Directive and in order to adapt those Annexes to technical progress.";			gained from the application of this Directive and in order to adapt those Annexes to technical progress.";
816.	(2) the following Article 10a is inserted:			(2) the following Article 10a is inserted:
817.	<i>"Article 10a</i> Exercise of the delegation			<i>"Article 10a</i> Exercise of the delegation
818.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
819.	2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>].	2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for a period of five years [...] from [...] the entry into force of this Regulation [...]. The Commission shall draw up a report in respect of the delegation of power not later than nine months	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
820.	3. The delegation of power referred to in Article 10 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i>			3. The delegation of power referred to in Article 10 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official</i>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			<i>Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
821.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 *.		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making*.
822.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
823.	6. A delegated act adopted pursuant to Article 10 shall enter into force only if no objection has been expressed either by the			6. A delegated act adopted pursuant to Article 10 shall enter into force only if no objection

* OJ L 123, 12.5.2016, p. 1.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
824.	(3) in Article 11, paragraph 4 is deleted.			(3) in Article 11, paragraph 4 is deleted.
825.	119. Directive 2005/65/EC of the European Parliament and of the Council of 26 October 2005 on enhancing port security ¹⁵⁴			119. Directive 2005/65/EC of the European Parliament and of the Council of 26 October 2005 on enhancing port security ¹⁵⁵

¹⁵⁴ OJ L 310, 25.11.2005, p. 28.

¹⁵⁵ OJ L 310, 25.11.2005, p. 28.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
826.	<p>In order to update the technical measures necessary to ensure port security on a regular basis, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I to IV to Directive 2005/65/EC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts</p>		<p>In order to update the technical measures necessary to ensure port security on a regular basis, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I to IV to Directive 2005/65/EC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p>In order to update the technical measures necessary to ensure port security on a regular basis, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend Annexes I to IV to Directive 2005/65/EC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States'</p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
827.	Accordingly, Directive 2005/65/EC is amended as follows:			Accordingly, Directive 2005/65/EC is amended as follows:
828.	(1) Article 14 is replaced by the following:			(1) Article 14 is replaced by the following:
829.	<i>"Article 14</i> Amendments to Annexes I to IV			<i>"Article 14</i> Amendments to Annexes I to IV
830.	The Commission is empowered to adopt delegated acts in accordance with Article 14a amending Annexes I to IV in order to adapt them to the experience gained in their implementation without broadening the scope of this Directive.			The Commission is empowered to adopt delegated acts in accordance with Article 14a amending Annexes I to IV in order to adapt them to the experience gained in their implementation without broadening the scope of this Directive.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
831.	Where, in the case of amendments required to adapt the Annexes I to IV, imperative grounds of urgency so require, the procedure provided for in Article 14b shall apply to delegated acts adopted pursuant to this Article.";			Where, in the case of amendments required to adapt the Annexes I to IV, imperative grounds of urgency so require, the procedure provided for in Article 14b shall apply to delegated acts adopted pursuant to this Article.";
832.	(2) the following Articles 14a and 14b are inserted:			(2) the following Articles 14a and 14b are inserted:
833.	<i>"Article 14a</i> Exercise of the delegation			<i>"Article 14a</i> Exercise of the delegation
834.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
835.	2. The power to adopt delegated acts referred to in Article 14 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of	2. The power to adopt delegated acts referred to in Article 14 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date	2. The power to adopt delegated acts referred to in Article 14 shall be conferred on the Commission for a period of five years [...] from [...] the entry into force of this Regulation [...]. The Commission shall draw up	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	this Omnibus].	of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
836.	3. The delegation of power referred to in Article 14 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of			3. The delegation of power referred to in Article 14 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
837.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 *.		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making.
838.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

* OJ L 123, 12.5.2016, p. 1.";

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839.	6. A delegated act adopted pursuant to Article 14 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			6. A delegated act adopted pursuant to Article 14 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
840.	<i>Article 14b</i> Urgency procedure			<i>Article 14b</i> Urgency procedure
841.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2.			1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2.

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	The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.			The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.
842.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 14a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.			2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 14a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.
843.	(3) Article 15 is deleted.			(3) Article 15 is deleted.
844.	120. Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the			120. Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Community and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive 2004/36/EC¹⁵⁶.			Community and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive 2004/36/EC¹⁵⁷.
845.	In order to adapt Regulation (EC) No 2111/2005 to scientific and technical progress and to specify further the applicable procedures, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annex to that Regulation and to supplement that Regulation with detailed rules in respect of certain procedures. It is of particular importance that the Commission			In order to adapt Regulation (EC) No 2111/2005 to scientific and technical progress and to specify further the applicable procedures, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend the Annex to that Regulation and to supplement that Regulation with detailed rules in respect of certain procedures. It is of

¹⁵⁶ OJ L 344, 27.12.2005, p. 15.

¹⁵⁷ OJ L 344, 27.12.2005, p. 15.

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	<p>carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>			<p>particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>
846.	<p>Accordingly, Regulation (EC) No 2111/2005 is amended as follows:</p>			<p>Accordingly, Regulation (EC) No 2111/2005 is amended as follows:</p>

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847.	(1) in Article 3, paragraph 2 is replaced by the following:			(1) in Article 3, paragraph 2 is replaced by the following:
848.	"2. The common criteria for imposing an operating ban on an air carrier, which shall be based on the relevant safety standards, are set out in the Annex and are hereafter referred to as "common criteria".			"2. The common criteria for imposing an operating ban on an air carrier, which shall be based on the relevant safety standards, are set out in the Annex and are hereafter referred to as "common criteria".
849.	The Commission is empowered to adopt delegated acts in accordance with Article 14a amending the Annex in order to modify the common criteria to take account of scientific and technical developments.";			The Commission is empowered to adopt delegated acts in accordance with Article 14a amending the Annex in order to modify the common criteria to take account of scientific and technical developments.";
850.	(2) Article 8 is replaced by the following:			(2) Article 8 is replaced by the following:
851.	<i>"Article 8</i> Detailed rules			<i>"Article 8</i> Detailed rules
852.	The Commission is empowered to adopt delegated acts in	The Commission is empowered to adopt		The Commission is empowered to adopt delegated acts in

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	accordance with Article 14a laying down detailed rules in respect of the procedures referred to in this Chapter taking due account of the need for decisions to be taken swiftly on updating the Community list.	delegated acts in accordance with Article 14a <i>to supplement this Regulation by</i> laying down detailed rules in respect of the procedures referred to in this Chapter taking due account of the need for decisions to be taken swiftly on updating the Community list.		accordance with Article 14a <i>in order to supplement this Regulation by</i> laying down detailed rules in respect of the procedures referred to in this Chapter taking due account of the need for decisions to be taken swiftly on updating the Community list.
853.	Where, in the case of measures referred to in paragraph 1, imperative grounds of urgency so require, the procedure provided for in Article 14b shall apply to delegated acts adopted pursuant to this Article.";			Where, in the case of measures referred to in paragraph 1, imperative grounds of urgency so require, the procedure provided for in Article 14b shall apply to delegated acts adopted pursuant to this Article.";
854.	(3) the following Articles 14a and 14b are inserted:			(3) the following Articles 14a and 14b are inserted:
855.	<i>Article 14a</i> Exercise of the delegation			<i>Article 14a</i> Exercise of the delegation

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
856.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
857.	2. The power to adopt delegated acts referred to in Article 3(2) and Article 8 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 3(2) and Article 8 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes</i>	2. The power to adopt delegated acts referred to in Article 3(2) and Article 8 shall be conferred on the Commission for [...] a period of five years from [...] [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

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		<i>such extension not later than three months before the end of each period.</i>		
858.	3. The delegation of power referred to in Article 3(2) and Article 8 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 3(2) and Article 8 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
859.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of</i>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Better Law-Making of 13 April 2016 *.		Agreement of 13 April 2016 on Better Law-Making [...]*	<u>13 April 2016</u> on Better Law-Making*.
860.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
861.	6. A delegated act adopted pursuant to Article 3(2) and Article 8 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of one month of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That			6. A delegated act adopted pursuant to Article 3(2) and Article 8 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of one month of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission

* OJ L 123, 12.5.2016, p. 1.";

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	period shall be extended by one month at the initiative of the European Parliament or of the Council.			that they will not object. That period shall be extended by one month at the initiative of the European Parliament or of the Council.
862.	<i>Article 14b</i> Urgency procedure			<i>Article 14b</i> Urgency procedure
863.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.			1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.
864.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 14a(6). In such a case, the Commission shall repeal the act immediately			2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 14a(6). In such a case, the Commission shall repeal the act immediately

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	following the notification of the decision to object by the European Parliament or by the Council.			following the notification of the decision to object by the European Parliament or by the Council.
865.	(4) in Article 15, paragraph 4 is deleted.			(4) in Article 15, paragraph 4 is deleted.
866.	122. Regulation (EC) No 336/2006 of the European Parliament and of the Council of 15 February 2006 on the implementation of the International Safety Management Code within the Community and repealing Council Regulation (EC) No 3051/95¹⁵⁸			122. Regulation (EC) No 336/2006 of the European Parliament and of the Council of 15 February 2006 on the implementation of the International Safety Management Code within the Community and repealing Council Regulation (EC) No 3051/95¹⁵⁹

¹⁵⁸ OJ L 64, 4.3.2006, p. 1.

¹⁵⁹ OJ L 64, 4.3.2006, p. 1.

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867.	<p>In order to update the provisions concerning the implementation of the International Safety Management Code, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annex II to Regulation (EC) No 336/2006. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts</p>		<p>In order to update the provisions concerning the implementation of the International Safety Management Code, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annex II to Regulation (EC) No 336/2006. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p>In order to update the provisions concerning the implementation of the International Safety Management Code, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend Annex II to Regulation (EC) No 336/2006. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at</p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
868.	Accordingly, Regulation (EC) No 336/2006 is amended as follows:			Accordingly, Regulation (EC) No 336/2006 is amended as follows:
869.	(1) in Article 11, paragraph 2 is replaced by the following:			(1) in Article 11, paragraph 2 is replaced by the following:
870.	"2. The Commission is empowered to adopt delegated		"2. The Commission is empowered to adopt delegated acts in accordance	"2. <i>Within the scope of the Regulation as defined in Article</i>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	acts in accordance with Article 11a amending Annex II in order to take account of developments at international level and in particular in the International Maritime Organisation (IMO), or to improve the effectiveness of this Regulation in the light of the experience gained in its implementation.";		with Article 11a amending Annex II in order to take account of developments at international level and in particular in the International Maritime Organisation (IMO), or to improve the effectiveness of this Regulation in the light of the experience gained in its implementation insofar as such amendments do not broaden the scope of this Regulation. ";	3. the Commission is empowered to adopt delegated acts in accordance with Article 11a amending Annex II in order to take account of developments at international level and in particular in the International Maritime Organisation (IMO), or to improve the effectiveness of this Regulation in the light of the experience gained in its implementation.";
871.	(2) the following Article 11a is inserted:			(2) the following Article 11a is inserted:
872.	<i>"Article 11a</i> Exercise of the delegation			<i>"Article 11a</i> Exercise of the delegation
873.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
874.	2. The power to adopt delegated acts referred to in Article 11(2)	2. The power to adopt delegated acts referred to	2. The power to adopt delegated acts referred to in Article 11(2) shall be	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	shall be conferred on the Commission for an indeterminate period of time from [the date of entry into force of this Omnibus].	in Article 11(2) shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	conferred on the Commission for a period of five years [...] from [...] the entry into force of this Regulation [...]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

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875.	3. The delegation of power referred to in Article 11(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 11(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
876.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...] [¶] .	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making".

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Better Law-Making of 13 April 2016*.			
877.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
878.	6. A delegated act adopted pursuant to Article 11(2) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European			6. A delegated act adopted pursuant to Article 11(2) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry

* OJ L 123, 12.5.2016, p. 1.";

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	Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
879.	(3) in Article 12, paragraph 3 is deleted.			(3) in Article 12, paragraph 3 is deleted.
880.	125. Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods¹⁶⁰			125. Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods¹⁶¹
881.	In order to adapt Directive 2008/68/EC to technical and scientific progress, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission		In order to adapt Directive 2008/68/EC to technical and scientific progress, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Directive. It is of	In order to adapt Directive 2008/68/EC to technical and scientific progress, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European

¹⁶⁰ OJ L 260, 30.9.2008, p. 13.

¹⁶¹ OJ L 260, 30.9.2008, p. 13.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	<p>to amend the Annexes to that Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>		<p>particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p>Union should be delegated to the Commission to amend the Annexes to that Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
882.	Accordingly, Directive 2008/68/EC is amended as follows:			Accordingly, Directive 2008/68/EC is amended as follows:
883.	(1) in Article 8, paragraph 1 is replaced by the following:			(1) in Article 8, paragraph 1 is replaced by the following:
884.	"1. The Commission is empowered to adopt delegated acts in accordance with Article 8a amending the Annexes in order to adapt them to scientific and technical progress, including the use of technologies for tracking and tracing, in the fields covered by this Directive, in particular to take account of amendments to the ADR, RID and ADN.";		"1. The Commission is empowered to adopt delegated acts in accordance with Article 8a amending the Annexes in order [...] to take account of amendments to the ADR, RID and AND, in particular those relating to scientific and technical progress. ";	NB: Commission proposes to add "<u>including the use of technologies for tracking and tracing</u>" at the end of Council text. Either wording is not acceptable to EP. "1. The Commission is empowered to adopt delegated acts in accordance with Article 8a amending the Annexes in order to take account of amendments to the ADR, RID and AND, in particular those relating to scientific and technical progress <i>including the use of technologies for tracking and tracing.</i> "

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
885.	(2) the following Article 8a is inserted:			(2) the following Article 8a is inserted:
886.	<i>"Article 8a</i> Exercise of the delegation			<i>"Article 8a</i> Exercise of the delegation
887.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
888.	2. The power to adopt delegated acts referred to in Article 8(1) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 8(1) shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of</i>	2. The power to adopt delegated acts referred to in Article 8(1) shall be conferred on the Commission for a period of five years [...] from [...] the entry into force of this Regulation [...]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	than three months before the end of each period.	
889.	3. The delegation of power referred to in Article 8(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 8(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
890.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 *.		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making*.
891.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
892.	6. A delegated act adopted pursuant to Article 8(1) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the			6. A delegated act adopted pursuant to Article 8(1) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the

* OJ L 123, 12.5.2016, p. 1.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
893.	(3) in Article 9, paragraph 3 is deleted.			(3) in Article 9, paragraph 3 is deleted.
894.	128. Directive 2009/15/EC of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations¹⁶²			128. Directive 2009/15/EC of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations and

¹⁶² OJ L 131, 28.5.2009, p. 47.

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				for the relevant activities of maritime administrations¹⁶³
895.	In order to adapt Directive 2009/15/EC to the evolution of relevant international instruments and to modify the maximum amounts payable to compensate the injured parties, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend that Directive so as to:			In order to adapt Directive 2009/15/EC to the evolution of relevant international instruments and to modify the maximum amounts payable to compensate the injured parties, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend that Directive so as to:
896.	- incorporate subsequent amendments to certain international conventions, protocols, codes and resolutions related thereto, which have entered into force;			- incorporate subsequent amendments to certain international conventions, protocols, codes and resolutions related thereto, which have entered into force;

¹⁶³ OJ L 131, 28.5.2009, p. 47.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
897.	- alter certain amounts specified therein.			- alter certain amounts specified therein.
898.	It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
899.	Accordingly, Directive 2009/15/EC is amended as follows:			Accordingly, Directive 2009/15/EC is amended as follows:
900.	(1) the following Article 5a is inserted:			(1) the following Article 5a is inserted:
901.	"Article 5a			"Article 5a
902.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
903.	2. The power to adopt delegated acts referred to in Article 7(1) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 7(1) shall be conferred on the Commission for a period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation</i>	2. The power to adopt delegated acts referred to in Article 7(1) shall be conferred on the Commission for a period of five years [...] from [...] the entry into force of this Regulation [...] . The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
904.	3. The delegation of power referred to in Article 7(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the			3. The delegation of power referred to in Article 7(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	validity of any delegated acts already in force.			validity of any delegated acts already in force.
905.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 *.		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making*.
906.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to

* OJ L 123, 12.5.2016, p. 1.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	the European Parliament and to the Council.			the European Parliament and to the Council.
907.	6. A delegated act adopted pursuant to Article 7(1) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			6. A delegated act adopted pursuant to Article 7(1) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
908.	(2) in Article 6, paragraph 3 is deleted;			(2) in Article 6, paragraph 3 is deleted;

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
909.	(3) in Article 7, paragraph 1 is replaced by the following:			(3) in Article 7, paragraph 1 is replaced by the following:
910.	"1. The Commission is empowered to adopt delegated acts in accordance with Article 5a amending this Directive, without broadening its scope, in order to:			"1. The Commission is empowered to adopt delegated acts in accordance with Article 5a amending this Directive, without broadening its scope, in order to:
911.	(a) incorporate, for the purposes of this Directive, subsequent amendments to the international conventions, protocols, codes and resolutions related thereto referred to in point (d) of Article 2, Article 3(1) and Article 5(2), which have entered into force;			(a) incorporate, for the purposes of this Directive, subsequent amendments to the international conventions, protocols, codes and resolutions related thereto referred to in point (d) of Article 2, Article 3(1) and Article 5(2), which have entered into force;
912.	(b) alter the amounts specified in points (ii) and (iii) of Article 5(2)(b)."			(b) alter the amounts specified in points (ii) and (iii) of Article 5(2)(b)."
913.	131. Regulation (EC) No 391/2009 of the European Parliament and of the Council of 23 April 2009 on common			131. Regulation (EC) No 391/2009 of the European Parliament and of the Council

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	rules and standards for ship inspection and survey organisations ¹⁶⁴			of 23 April 2009 on common rules and standards for ship inspection and survey organisations ¹⁶⁵
914.	In order to complete Regulation (EC) No 391/2009 and to adapt it to the evolution of international rules, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission:			In order to complete Regulation (EC) No 391/2009 and to adapt it to the evolution of international rules, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission:
915.	- to amend the minimum criteria set out in Annex I to that Regulation taking into account, in particular, the relevant decisions of the IMO;			- to amend the minimum criteria set out in Annex I to that Regulation taking into account, in particular, the relevant decisions of the IMO;

¹⁶⁴ OJ L 131, 28.5.2009, p. 11.

¹⁶⁵ OJ L 131, 28.5.2009, p. 11.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
916.	- to supplement that Regulation with criteria for the measurement of the effectiveness of the rules and procedures as well as the performance of the recognised organisations as regards the safety of, and the prevention of pollution from, their classed ships, having particular regard to the data produced by the Paris Memorandum of Understanding on Port State Control or by other similar schemes;			- to supplement that Regulation with criteria for the measurement of the effectiveness of the rules and procedures as well as the performance of the recognised organisations as regards the safety of, and the prevention of pollution from, their classed ships, having particular regard to the data produced by the Paris Memorandum of Understanding on Port State Control or by other similar schemes;
917.	- to supplement that Regulation with criteria for determining when such performance is to be considered an unacceptable threat to safety or the environment, which may take into account specific circumstances affecting smaller-sized or highly specialised organisations;			- to supplement that Regulation with criteria for determining when such performance is to be considered an unacceptable threat to safety or the environment, which may take into account specific circumstances affecting smaller-sized or highly specialised organisations;

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
918.	- to supplement that Regulation with detailed rules concerning fines and periodic penalty payments and the withdrawal of recognition of ship inspection and survey organisations.			- to supplement that Regulation with detailed rules concerning fines and periodic penalty payments and the withdrawal of recognition of ship inspection and survey organisations.
919.	It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert		It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	groups dealing with the preparation of delegated acts.			groups dealing with the preparation of delegated acts.
920.	Accordingly, Regulation (EC) No 391/2009 is amended as follows:			Accordingly, Regulation (EC) No 391/2009 is amended as follows:
921.	(1) in Article 12, paragraph 4 is deleted;			(1) in Article 12, paragraph 4 is deleted;
922.	(2) in Article 13, paragraph 1 is replaced by the following:			(2) in Article 13, paragraph 1 is replaced by the following:
923.	"1. The Commission is empowered to adopt delegated acts in accordance with Article 14a amending Annex I, without broadening its scope, in order to update the minimum criteria set out therein, taking into account, in particular, the relevant decisions of the IMO.";			"1. The Commission is empowered to adopt delegated acts in accordance with Article 14a amending Annex I, without broadening its scope, in order to update the minimum criteria set out therein, taking into account, in particular, the relevant decisions of the IMO.";
924.	(3) in Article 14, paragraphs 1 and 2 are replaced by the following:			(3) in Article 14, paragraphs 1 and 2 are replaced by the following:

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
925.	"1. The Commission is empowered to adopt delegated acts in accordance with Article 14a concerning:	1. The Commission is empowered to adopt delegated acts in accordance with Article 14a <i>to supplement this Regulation by laying down the following:</i>	"1. The Commission is empowered to adopt delegated acts in accordance with Article 14a in order to supplement this Regulation by laying down [...]:	"1. The Commission is empowered to adopt delegated acts in accordance with Article 14a <u>in order to supplement this Regulation by establishing the following:</u>
926.	(a) criteria to measure the effectiveness of the rules and procedures as well as the performance of the recognised organisations as regards the safety of, and the prevention of pollution from, their classed ships, having particular regard to the data produced by the Paris Memorandum of Understanding on Port State Control or by other similar schemes;			(a) criteria to measure the effectiveness of the rules and procedures as well as the performance of the recognised organisations as regards the safety of, and the prevention of pollution from, their classed ships, having particular regard to the data produced by the Paris Memorandum of Understanding on Port State Control or by other similar schemes;

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
927.	(b) criteria to determine when such performance is to be considered an unacceptable threat to safety or the environment, which may take into account specific circumstances affecting smaller-sized or highly specialised organisations.			(b) criteria to determine when such performance is to be considered an unacceptable threat to safety or the environment, which may take into account specific circumstances affecting smaller-sized or highly specialised organisations.
928.	2. The Commission is empowered to adopt delegated acts in accordance with Article 14a concerning detailed rules on the imposition of fines and periodic penalty payments pursuant to Article 6, and, if necessary regarding the withdrawal of recognition of ship inspection and survey organisations pursuant to Article 7.";	2. The Commission is empowered to adopt delegated acts in accordance with Article 14a to supplement this Regulation by establishing detailed rules on the imposition of fines and periodic penalty payments pursuant to Article 6, and, if necessary regarding the withdrawal of recognition of ship inspection and survey organisations pursuant to Article 7.	2. The Commission is empowered to adopt delegated acts in accordance with Article 14a in order to supplement this Regulation by laying down [...] detailed rules on the imposition of fines and periodic penalty payments pursuant to Article 6, and, if necessary regarding the withdrawal of recognition of ship inspection and survey organisations pursuant to Article 7.";	2. The Commission is empowered to adopt delegated acts in accordance with Article 14a <i>in order to supplement this Regulation by establishing</i> detailed rules on the imposition of fines and periodic penalty payments pursuant to Article 6, and, if necessary regarding the withdrawal of recognition of ship inspection and survey organisations pursuant to Article 7.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
929.	(4) the following Article 14a is inserted:			(4) the following Article 14a is inserted:
930.	"Article 14a			"Article 14a
931.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
932.	2. The power to adopt delegated acts referred to in Article 13(1) and Article 14(1) and (2) shall be conferred on the Commission for an indeterminate period of time from [the date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 13(1) and Article 14(1) and (2) shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year</i>	2. The power to adopt delegated acts referred to in Article 13(1) and Article 14(1) and (2) shall be conferred on the Commission for a period of five years [...] from [[...] the entry into force of this Regulation [...]]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	months before the end of each period.	
933.	3. The delegation of power referred to in Article 13(1) and Article 14(1) and (2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 13(1) and Article 14(1) and (2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
934.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 *.		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making*.
935.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
936.	6. A delegated act adopted pursuant to Article 13(1) and Article 14(1) and (2) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two			6. A delegated act adopted pursuant to Article 13(1) and Article 14(1) and (2) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two

* OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
937.	132. Regulation (EC) No 392/2009 of the European Parliament and of the Council of 23 April 2009 on the liability of carriers of passengers by sea in the event of accidents¹⁶⁶			132. Regulation (EC) No 392/2009 of the European Parliament and of the Council of 23 April 2009 on the liability of carriers of passengers by sea in the event of accidents¹⁶⁷
938.	In order to adapt Regulation (EC) No 392/2009 to other Union and international rules, the power to adopt acts in accordance with Article 290 of			In order to adapt Regulation (EC) No 392/2009 to other Union and international rules, the power to adopt acts in accordance with Article 290 of

¹⁶⁶ OJ L 131, 28.5.2009, p. 24.

¹⁶⁷ OJ L 131, 28.5.2009, p. 24.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	the Treaty should be delegated to the Commission:			the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission:
939.	- to amend Annex I to that Regulation so as to incorporate amendments to the provisions of the Athens Convention;			- to amend Annex I to that Regulation so as to incorporate amendments to the provisions of the Athens Convention;
940.	- to amend the limits set out in Annex I to that Regulation for ships of Class B under Article 4 of Directive 2009/45/EC of the European Parliament and of the Council ⁺ ;			- to amend the limits set out in Annex I to that Regulation for ships of Class B under Article 4 of Directive 2009/45/EC of the European Parliament and of the Council ⁺ ;
941.	- to amend Annex II to that Regulation so as to incorporate amendments to the provisions of the IMO Guidelines.			- to amend Annex II to that Regulation so as to incorporate amendments to the provisions of the IMO Guidelines.

⁺ Directive 2009/45/EC of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships (OJ L 163, 25.6.2009, p. 1).

⁺ Directive 2009/45/EC of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships (OJ L 163, 25.6.2009, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
942.	It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
943.	Accordingly, Regulation (EC) No 392/2009 is amended as follows:			Accordingly, Regulation (EC) No 392/2009 is amended as follows:

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
944.	(1) Article 9 is replaced by the following:			(1) Article 9 is replaced by the following:
945.	<i>"Article 9</i> Amendment of the Annexes			<i>"Article 9</i> Amendment of the Annexes
946.	1. The Commission is empowered to adopt delegated acts in accordance with Article 9a amending Annex I to this Regulation in order to incorporate the amendments to the limits set out in Article 3(1), Article 4 <i>bis</i> (1), Article 7(1) and Article 8 of the Athens Convention to take account of decisions taken pursuant to Article 23 of that Convention.			1. The Commission is empowered to adopt delegated acts in accordance with Article 9a amending Annex I to this Regulation in order to incorporate the amendments to the limits set out in Article 3(1), Article 4 <i>bis</i> (1), Article 7(1) and Article 8 of the Athens Convention to take account of decisions taken pursuant to Article 23 of that Convention.
947.	The Commission is empowered to adopt, on the basis of a suitable impact assessment, delegated acts in accordance with Article 9a amending the limits set out in Annex I to this Regulation for ships of Class B under Article 4 of Directive		The Commission is empowered to adopt, by 31 December 2016 , on the basis of a suitable impact assessment, delegated acts in accordance with Article 9a amending the limits set out in Annex I to this Regulation for ships of Class B under Article 4 of Directive 2009/45/EC of the European	The Commission is empowered to adopt, <u>by 31 December 2016</u> , on the basis of a suitable impact assessment, delegated acts in accordance with Article 9a amending the limits set out in Annex I to this Regulation for ships of Class B under Article 4

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	2009/45/EC of the European Parliament and of the Council*, taking into consideration, for the period until 31 December 2016, the consequences for fares and the ability of the market to obtain affordable insurance coverage at the level required against the policy background of strengthening passengers' rights, as well as the seasonal nature of some of the traffic.		Parliament and of the Council*, taking into consideration, [...] the consequences for fares and the ability of the market to obtain affordable insurance coverage at the level required against the policy background of strengthening passengers' rights, as well as the seasonal nature of some of the traffic.	of Directive 2009/45/EC of the European Parliament and of the Council*, taking into consideration the consequences for fares and the ability of the market to obtain affordable insurance coverage at the level required against the policy background of strengthening passengers' rights, as well as the seasonal nature of some of the traffic.
948.	2. The Commission is empowered to adopt delegated acts in accordance with Article 9a amending Annex II in order to incorporate amendments to the provisions of the IMO Guidelines.			2. The Commission is empowered to adopt delegated acts in accordance with Article 9a amending Annex II in order to incorporate amendments to the provisions of the IMO Guidelines.
949.	(2) the following Article 9a is inserted:			(2) the following Article 9a is inserted:

* Directive 2009/45/EC of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships (OJ L 163, 25.6.2009, p. 1)";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
950.	<i>"Article 9a</i> Exercise of the delegation			<i>"Article 9a</i> Exercise of the delegation
951.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
952.	2. The power to adopt delegated acts referred to in Article 9(1) and (2) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 9(1) and (2) shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an</i>	2. The power to adopt delegated acts referred to in Article 9(1) and (2) shall be conferred on the Commission for a period of five years [...] from [...] the entry into force of this Regulation [...] . The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>		
953.	3. The delegation of power referred to in Article 9(1) and (2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 9(1) and (2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
954.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016*.		down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making*.
955.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
956.	6. A delegated act adopted pursuant to Article 9(1) and (2) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission			6. A delegated act adopted pursuant to Article 9(1) and (2) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission

* OJ L 123, 12.5.2016, p. 1.";

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	that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
957.	(3) Article 10 is deleted.			(3) Article 10 is deleted.
958.	XII. HEALTH AND FOOD SAFETY			XII. HEALTH AND FOOD SAFETY
959.	138. Regulation (EC) No 141/2000 of the European Parliament and of the Council of 16 December 1999 on orphan medicinal products¹⁶⁸			138. Regulation (EC) No 141/2000 of the European Parliament and of the Council of 16 December 1999 on orphan medicinal products¹⁶⁹
960.	In order to achieve the objectives of Regulation (EC) No 141/2000, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to supplement that Regulation with		In order to achieve the objectives of Regulation (EC) No 141/2000, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to supplement that Regulation with definitions of ‘similar medicinal	In order to achieve the objectives of Regulation (EC) No 141/2000, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the

¹⁶⁸ OJ L 18, 22.1.2000, p. 1.

¹⁶⁹ OJ L 18, 22.1.2000, p. 1.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	<p>definitions of ‘similar medicinal product’ and ‘clinical superiority’. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States’ experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>		<p>product’ and ‘clinical superiority’. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States’ experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p>Commission to supplement that Regulation with definitions of ‘similar medicinal product’ and ‘clinical superiority’. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States’ experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
961.	Accordingly, Regulation (EC) No 141/2000 is amended as follows:			Accordingly, Regulation (EC) No 141/2000 is amended as follows:
962.	(1) in Article 8, paragraph 4 is replaced by the following:			(1) in Article 8, paragraph 4 is replaced by the following:
963.	"4. The Commission is empowered to adopt delegated acts in accordance with Article 10b supplementing this Regulation by adopting the definitions of 'similar medicinal product' and 'clinical superiority'.";			"4. The Commission is empowered to adopt delegated acts in accordance with Article 10b in order to supplement this Regulation by adopting the definitions of 'similar medicinal product' and 'clinical superiority'.";
964.	(2) in Article 10a, paragraph 3 is deleted;			(2) in Article 10a, paragraph 3 is deleted;
965.	(3) the following Article 10b is inserted:			(3) the following Article 10b is inserted:
966.	<i>"Article 10b</i> Exercise of the delegation			<i>"Article 10b</i> Exercise of the delegation

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
967.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
968.	2. The power to adopt delegated acts referred to in Article 8(4) shall be conferred <i>to</i> the Commission for <i>an indeterminate</i> period from [date of entry into force of this <i>omnibus</i>].	2. The power to adopt delegated acts referred to in Article 8 (4) shall be conferred <i>on</i> the Commission for <i>a</i> period <i>of five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes</i>	2. The power to adopt delegated acts referred to in Article 8(4) shall be conferred to the Commission for a period of five years [...] from [the entry into force of this Regulation [...]]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>such extension not later than three months before the end of each period.</i>		
969.	3. The delegation of power referred to in Article 8(4) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 8(4) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
970.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Interinstitutional Agreement on Better Law-Making of 13 April 2016 *.		Agreement of 13 April 2016 on Better Law-Making [...]*	Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making*.
971.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council*.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council*.
972.	6. A delegated act adopted pursuant to Article 8(4) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have			6. A delegated act adopted pursuant to Article 8(4) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have

* OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
973.	139. Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC¹⁷⁰			139. Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC¹⁷¹
974.	In order to achieve the objectives of Directive 2001/18/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Directive and to supplement that Directive with:			In order to achieve the objectives of Directive 2001/18/EC, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to

¹⁷⁰ OJ L 106, 17.4.2001, p.1

¹⁷¹ OJ L 106, 17.4.2001, p.1

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
				amend the Annexes to that Directive and to supplement that Directive with:
975.	- derogatory criteria and information requirements for the notification for the placing on the market of certain types of GMOs;			- derogatory criteria and information requirements for the notification for the placing on the market of certain types of GMOs;
976.	- minimum thresholds below which products where adventitious or technically unavoidable traces of authorised GMOs cannot be excluded do not have to be labelled as GMOs;			- minimum thresholds below which products where adventitious or technically unavoidable traces of authorised GMOs cannot be excluded do not have to be labelled as GMOs;
977.	- lower thresholds than 0,9%, below which the labelling requirements set out in the Directive do not apply to traces of GMOs in products intended for direct processing ;			- lower thresholds than 0,9%, below which the labelling requirements set out in the Directive do not apply to traces of GMOs in products intended for direct processing ;
978.	- specific labelling requirements for GMOs that are not placed on			- specific labelling requirements for GMOs that are not placed on

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	the market within the meaning of this Directive.			the market within the meaning of this Directive.
979.	It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of</i> <u>13 April 2016</u> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
980.	Accordingly, Directive 2001/18/EC is amended as follows:			Accordingly, Directive 2001/18/EC is amended as follows:
981.	(1) Article 16 is amended as follows:			(1) Article 16 is amended as follows:
982.	(a) in paragraph 2, the first subparagraph is replaced by the following:			(a) in paragraph 2, the first subparagraph is replaced by the following:
983.	The Commission is empowered to adopt delegated acts, in accordance with Article 29a, establishing the criteria and information requirements referred to in paragraph 1, as well as any appropriate requirements for a summary of the dossier, after consultation of the relevant Scientific Committee. The criteria and information requirements shall be such as to ensure a high level of safety of human health and the environment and shall be based on the available scientific	The Commission is empowered to adopt delegated acts, in accordance with Article 29a, <i>to supplement this Directive by</i> establishing the criteria and information requirements referred to in paragraph 1, as well as any appropriate requirements for a summary of the dossier, after consultation of the relevant Scientific Committee. The criteria and information	"The Commission is empowered to adopt delegated acts, in accordance with Article 29a, supplementing this Directive by establishing the criteria and information requirements referred to in paragraph 1, as well as any appropriate requirements for a summary of the dossier, after consultation of the relevant Scientific Committee. The criteria and information requirements shall be such as to ensure a high level of safety of human health and the environment and shall be based on the available scientific evidence concerning such	"The Commission is empowered to adopt delegated acts, in accordance with Article 29a <i>in order to supplement this Directive by</i> establishing the criteria and information requirements referred to in paragraph 1, as well as any appropriate requirements for a summary of the dossier, after consultation of the relevant Scientific Committee. The criteria and information requirements shall be such as to ensure a high level of safety of human health and the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	evidence concerning such safety and on experience gained from the release of comparable GMOs.	requirements shall be such as to ensure a high level of safety of human health and the environment and shall be based on the available scientific evidence concerning such safety and on experience gained from the release of comparable GMOs.	safety and on experience gained from the release of comparable GMOs.";	environment and shall be based on the available scientific evidence concerning such safety and on experience gained from the release of comparable GMOs.";
984.	(b) paragraph 3 is replaced by the following:			(b) paragraph 3 is replaced by the following:
985.	"3. Before adopting delegated acts pursuant to paragraph 2, the Commission shall make the proposal available to the public. The public may make comments to the Commission within 60 days. The Commission shall forward any such comments, together with an analysis, to the experts referred to in Article 29a(4).";			"3. Before adopting delegated acts pursuant to paragraph 2, the Commission shall make the proposal available to the public. The public may make comments to the Commission within 60 days. The Commission shall forward any such comments, together with an analysis, to the experts referred to in Article 29a(4).";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
986.	(2) Article 21 is amended as follows:			(2) Article 21 is amended as follows:
987.	(a) paragraph 2 is replaced by the following:			(a) paragraph 2 is replaced by the following:
988.	“2. For products where adventitious or technically unavoidable traces of authorised GMOs cannot be excluded, the Commission is empowered to adopt delegated acts, in accordance with Article 29a, establishing minimum thresholds below which these products shall not have to be labelled in accordance with paragraph 1 of this Article. Threshold levels shall be established according to the product concerned.”	“2. For products where adventitious or technically unavoidable traces of authorised GMOs cannot be excluded, the Commission is empowered to adopt delegated acts, in accordance with Article 29a, <i>to supplement this Directive by</i> establishing minimum thresholds below which these products shall not have to be labelled in accordance with paragraph 1 of this Article. Threshold levels shall be established according to the product concerned.”	"2. For products where adventitious or technically unavoidable traces of authorised GMOs cannot be excluded, the Commission is empowered to adopt delegated acts, in accordance with Article 29a, supplementing this Directive by establishing minimum thresholds below which these products shall not have to be labelled in accordance with paragraph 1 of this Article. Threshold levels shall be established according to the product concerned.";	"2. For products where adventitious or technically unavoidable traces of authorised GMOs cannot be excluded, the Commission is empowered to adopt delegated acts, in accordance with Article 29a <i>in order to supplement this Directive by</i> establishing minimum thresholds below which these products shall not have to be labelled in accordance with paragraph 1 of this Article. Threshold levels shall be established according to the product concerned.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
989.	(b) in paragraph 3, the second subparagraph is replaced by the following:			(b) in paragraph 3, the second subparagraph is replaced by the following:
990.	“The Commission is empowered to adopt delegated acts, in accordance with Article 29a, establishing the thresholds referred to in the first subparagraph of this paragraph.”	The Commission is empowered to adopt delegated acts, in accordance with Article 29a, <i>to supplement this Directive by</i> establishing the thresholds referred to in the first subparagraph of this paragraph.”	"The Commission is empowered to adopt delegated acts, in accordance with Article 29a, supplementing this Directive by establishing the thresholds referred to in the first subparagraph of this paragraph.";	"The Commission is empowered to adopt delegated acts, in accordance with Article 29a <i>in order to supplement this Directive by</i> establishing the thresholds referred to in the first subparagraph of this paragraph.";
991.	(3) in Article 26, paragraph 2 is replaced by the following:			(3) in Article 26, paragraph 2 is replaced by the following:
992.	"2. The Commission is empowered to adopt delegated acts, in accordance with Article 29a, amending Annex IV by establishing specific labelling requirements referred to in paragraph 1, without duplicating or creating inconsistencies with labelling provisions laid down in existing Union legislation. In so			"2. The Commission is empowered to adopt delegated acts, in accordance with Article 29a, amending Annex IV by establishing specific labelling requirements referred to in paragraph 1, without duplicating or creating inconsistencies with labelling provisions laid down in existing Union legislation. In so

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	doing, account should be taken, as appropriate, of labelling provisions established by Member States in accordance with Union legislation.";			doing, account should be taken, as appropriate, of labelling provisions established by Member States in accordance with Union legislation.";
993.	(4) Article 27 is replaced by the following:			(4) Article 27 is replaced by the following:
994.	" <i>Article 27</i> Adaptation of the Annexes to technical progress			" <i>Article 27</i> Adaptation of the Annexes to technical progress
995.	The Commission is empowered to adopt delegated acts, in accordance with Article 29a, amending Sections C and D of Annex II, Annexes III to VI, and Section C of Annex VII, in order to adapt them to technical progress.";			The Commission is empowered to adopt delegated acts, in accordance with Article 29a, amending Sections C and D of Annex II, Annexes III to VI, and Section C of Annex VII, in order to adapt them to technical progress.";
996.	(5) the following Article 29a is inserted:			(5) the following Article 29a is inserted:

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
997.	"Article 29a Exercise of the delegation			"Article 29a Exercise of the delegation
998.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
999.	2. The power to adopt delegated acts referred to in Article 16(2), Article 21(2) and (3), Article 26(2) and Article 27 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to Article 16(2), Article 21(2) and (3), Article 26(2) and Article 27 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of</i>	2. The power to adopt delegated acts referred to in Article 16(2), Article 21(2) and (3), Article 26(2) and Article 27 shall be conferred on the Commission for a period of five years [...] from [the entry into force of this Regulation [...]]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>		
1000	3. The delegations of power referred to in Article 16(2), Article 21(2) and (3), Article 26(2) and Article 27 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegations of power referred to in Article 16(2), Article 21(2) and (3), Article 26(2) and Article 27 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
1001	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016* .		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making*.
1002	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
1003	6. A delegated act adopted pursuant to Article 16(2), Article 21(2) and (3), Article 26(2) and Article 27 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the			6. A delegated act adopted pursuant to Article 16(2), Article 21(2) and (3), Article 26(2) and Article 27 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the

* OJ L 123, 12.5.2016, p. 1.";

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	European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
1004	(6) in Article 30, paragraph 3 is deleted.			(6) in Article 30, paragraph 3 is deleted.
1005	140. Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use¹⁷²			140. Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use¹⁷³
1006	In order to achieve the objectives of Directive 2001/83/EC, the power to adopt acts in			In order to achieve the objectives of Directive 2001/83/EC, the power to adopt acts in

¹⁷² OJ L 311, 28.11.2001, p. 67.

¹⁷³ OJ L 311, 28.11.2001, p. 67.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	accordance with Article 290 of the Treaty should be delegated to the Commission:			accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission:
1007	- to amend that Directive in respect of one of the conditions that homeopathic medicinal products must satisfy in order to benefit from a special, simplified registration procedure if new scientific evidence so warrants;			- to amend that Directive in respect of one of the conditions that homeopathic medicinal products must satisfy in order to benefit from a special, simplified registration procedure if new scientific evidence so warrants;
1008	- to amend that Directive in respect of the types of operations that are considered to constitute manufacture of active substances used as starting materials, to take account of scientific and technical progress;			- to amend that Directive in respect of the types of operations that are considered to constitute manufacture of active substances used as starting materials, to take account of scientific and technical progress;
1009	- to amend Annex I to that Directive to take account of technical and scientific progress;			- to amend Annex I to that Directive to take account of technical and scientific progress;
1010	- to supplement that Directive with appropriate arrangements		[...]	<u>deletion</u>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	for the examination of variations to the terms of marketing authorisations granted in accordance with that Directive;			
1011	- to supplement that Directive by specifying the principles and guidelines of good manufacturing practices for medicinal products.			- to supplement that Directive by specifying the principles and guidelines of good manufacturing practices for medicinal products.
1012	It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States'		It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups	It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States'

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		dealing with the preparation of delegated acts.	experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
1013	Accordingly, Directive 2001/83/EC is amended as follows:			Accordingly, Directive 2001/83/EC is amended as follows:
1014	(1) in Article 14(1), the second subparagraph is replaced by the following:			(1) in Article 14(1), the second subparagraph is replaced by the following:
1015	"The Commission is empowered to adopt delegated acts in accordance with Article 121a amending the third indent of the first subparagraph if new scientific evidence so warrants.";			"The Commission is empowered to adopt delegated acts in accordance with Article 121a amending the third indent of the first subparagraph if new scientific evidence so warrants.";
1016	(2) in Article 23b, paragraph 2 is replaced by the following:		[...]	<i><u>deletion</u></i>
1017	"2. The Commission is empowered to adopt delegated acts in accordance with Article 121a establishing the	"2. The Commission is empowered to adopt delegated acts in accordance with Article	[...]	<i><u>deletion</u></i>

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	arrangements referred to in in paragraph 1.”	121a <i>to supplement this Directive by</i> establishing the arrangements referred to in paragraph 1.”		
1018	(3) in Article 46a, paragraph 2 is replaced by the following:		(2[...]) in Article 46a, paragraph 2 is replaced by the following:	(2) in Article 46a, paragraph 2 is replaced by the following:
1019	"2. The Commission is empowered to adopt delegated acts in accordance with Article 121a to amend paragraph 1 to take account of scientific and technical progress.";			"2. The Commission is empowered to adopt delegated acts in accordance with Article 121a to amend paragraph 1 to take account of scientific and technical progress.";
1020	(4) in Article 47, the first paragraph is replaced by the following:		(3[...]) in Article 47, the first paragraph is replaced by the following:	(3) in Article 47, the first paragraph is replaced by the following:
1021	“The Commission is empowered to adopt delegated acts in accordance with Article 121a specifying the principles and guidelines of good manufacturing practices for medicinal products referred to in Article 46(f).”	“The Commission is empowered to adopt delegated acts in accordance with Article 121a <i>to supplement this Directive by</i> specifying the principles and guidelines of good manufacturing	"The Commission is empowered to adopt delegated acts in accordance with Article 121a in order to supplement this Directive by specifying the principles and guidelines of good manufacturing practices for medicinal products referred to in Article 46(f).";	“The Commission is empowered to adopt delegated acts in accordance with Article 121a <i>in order to supplement this Directive by</i> specifying the principles and guidelines of good manufacturing practices for medicinal products referred to in

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		practices for medicinal products referred to in Article 46(f)."		Article 46(f)."
1022	(5) Article 120 is replaced by the following:		(4[...]) Article 120 is replaced by the following:	(4) Article 120 is replaced by the following:
1023	"Article 120			"Article 120
1024	The Commission is empowered to adopt delegated acts in accordance with Article 121a amending Annex I to take account of scientific and technical progress.";			The Commission is empowered to adopt delegated acts in accordance with Article 121a amending Annex I to take account of scientific and technical progress.";
1025	(6) in Article 121, paragraph 2a is deleted;		(5[...]) in Article 121, paragraph 2a is deleted;	(5) in Article 121, paragraph 2a is deleted;
1026	(7) Article 121a is replaced by the following:		(6[...]) Article 121a is replaced by the following:	(6) Article 121a is replaced by the following:
1027	"Article 121a			"Article 121a
1028	1. The power to adopt delegated acts is conferred on the Commission subject to the			1. The power to adopt delegated acts is conferred on the Commission subject to the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	conditions laid down in this Article.			conditions laid down in this Article.
1029	2. The power to adopt delegated acts referred to in Article 14(1), Article 22b, Article 23b, Article 46a, Article 47, Article 52b, Article 54a and Article 120 shall be conferred to the Commission for an indeterminate period from [date of entry into force of this omnibus].	2. The power to adopt delegated acts referred to Article 14(1), Article 22b, Article 23b, Article 46a, Article 47, Article 52b, Article 54a and Article 120 shall be conferred <i>on</i> the Commission for <i>a</i> period <i>of five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such</i>	2. The power to adopt delegated acts referred to in Article 14(1), Article 22b, [...] Article 46a, Article 47, Article 52b, Article 54a and Article 120 shall be conferred to the Commission for a period of five years [...] from [the entry into force of this Regulation [...]]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	NB: reference to Article 23b will need to be added to the final wording of this paragraph.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>extension not later than three months before the end of each period.</i>		
1030	3. The delegation of power referred to in Article 14(1), Article 22b, Article 23b, Article 46a, Article 47, Article 52b, Article 54a and Article 120 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.		3. The delegation of power referred to in Article 14(1), Article 22b, [...] Article 46a, Article 47, Article 52b, Article 54a and Article 120 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3. The delegation of power referred to in Article 14(1), Article 22b, <i>Article 23b</i> , Article 46a, Article 47, Article 52b, Article 54a and Article 120 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
1031	4. Before adopting a delegated act, the Commission shall consult experts designated by		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in	4. Before adopting a delegated act, the Commission shall consult experts designated by

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016*.		accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	each Member State in accordance with the principles laid down in the Interinstitutional Agreement of <i>13 April 2016</i> on Better Law-Making*.
1032	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
1033	6. A delegated act adopted pursuant to Article 14(1), Article 22b, Article 23b, Article 46a, Article 47, Article 52b, Article 54a and Article 120 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act		6. A delegated act adopted pursuant to Article 14(1), Article 22b, [...] Article 46a, Article 47, Article 52b, Article 54a and Article 120 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of	6. A delegated act adopted pursuant to Article 14(1), Article 22b, <i>Article 23b</i> , Article 46a, Article 47, Article 52b, Article 54a and Article 120 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act

* OJ L 123, 12.5.2016, p. 1.";

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	to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.		that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
1034	(8) Articles 121b and 121c are deleted.		(7[...]) Articles 121b and 121c are deleted.	<i>deletion</i> NB: Articles 121b and 121c were deleted by Regulation 2019/5
1035	142. Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed¹⁷⁴			142. Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed¹⁷⁵

¹⁷⁴ OJ L 140, 30.5.2002, p. 10

¹⁷⁵ OJ L 140, 30.5.2002, p. 10

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1036	<p>In order to achieve the objectives of Directive 2002/32/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I and II to that Directive to adapt them to technical progress and to supplement that Directive with acceptability criteria for detoxification processes. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the</p>		<p>In order to achieve the objectives of Directive 2002/32/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I and II to that Directive to adapt them to technical progress and to supplement that Directive with acceptability criteria for detoxification processes. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups</p>	<p>In order to achieve the objectives of Directive 2002/32/EC, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend Annexes I and II to that Directive to adapt them to technical progress and to supplement that Directive with acceptability criteria for detoxification processes. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the</p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		dealing with the preparation of delegated acts.	European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
1037	Accordingly, Directive 2002/32/EC is amended as follows:			Accordingly, Directive 2002/32/EC is amended as follows:
1038	(1) in Article 7(2), the first subparagraph is replaced by the following:			(1) in Article 7(2), the <i>first and second subparagraphs are</i> replaced by the following:
1039	"2. An immediate decision shall be taken as to whether Annexes I and II should be amended. The Commission is empowered to adopt delegated acts in accordance with Article 11a amending those Annexes.		"2. An immediate decision shall be taken as to whether Annexes I and II should be amended. The Commission is empowered to adopt delegated acts in accordance with Article 10a [...] amending those Annexes	"2. An immediate decision shall be taken as to whether Annexes I and II should be amended. The Commission is empowered to adopt delegated acts in accordance with Article <i>10a</i> amending those Annexes
1040	Where, in the case of these amendments, imperative grounds of urgency so require, the		Where, in the case of these amendments, imperative grounds of urgency so require, the procedure	Where, in the case of these amendments, imperative grounds of urgency so require, the

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	procedure provided for in Article 11a shall apply to delegated acts adopted pursuant to this Article.”;		provided for in Article 10b [...] shall apply to delegated acts adopted pursuant to this Article.”;	procedure provided for in Article 10b shall apply to delegated acts adopted pursuant to this Article.
1041				<i><u>So long as the Commission has not taken any decision, the Member State may maintain the measures it has implemented.”;</u></i>
1042	(2) Article 8 is amended as follows:			(2) Article 8 is amended as follows:
1043	(a) paragraph 1 is replaced by the following:			(a) paragraph 1 is replaced by the following:
1044	“1. The Commission is empowered to adopt delegated acts in accordance with Article 10a amending Annexes I and II to adapt them to the scientific and technical developments.			“1. The Commission is empowered to adopt delegated acts in accordance with Article 10a amending Annexes I and II to adapt them to the scientific and technical developments.
1045	Where, in the case of those amendments, imperative grounds of urgency so require, the procedure provided for in Article 10b shall apply to delegated acts			Where, in the case of those amendments, imperative grounds of urgency so require, the procedure provided for in Article 10b shall apply to delegated acts

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	adopted pursuant to this Article.”;			adopted pursuant to this Article.”;
1046	(b) in paragraph 2, the second indent is replaced by the following			(b) in paragraph 2, the second indent is replaced by the following
1047	“– is empowered to adopt delegated acts in accordance with Article 10a to define acceptability criteria for detoxification processes as a complement to the criteria provided for products intended for animal feed which have undergone such processes.”	“– is empowered to adopt delegated acts in accordance with Article 10a to supplement this Directive by defining acceptability criteria for detoxification processes as a complement to the criteria provided for products intended for animal feed which have undergone such processes.”	“- is empowered to adopt delegated acts in accordance with Article 10a supplementing this Directive in order to define acceptability criteria for detoxification processes as a complement to the criteria provided for products intended for animal feed which have undergone such processes.”;	“- is empowered to adopt delegated acts in accordance with Article 10a <i>in order to supplement this Directive by defining</i> acceptability criteria for detoxification processes as a complement to the criteria provided for products intended for animal feed which have undergone such processes.”;
1048	(3) the following Articles 10a and 10b are inserted:			(3) the following Articles 10a and 10b are inserted:
1049	“Article 10a			“Article 10a

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1050	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
1051	2. The power to adopt delegated acts referred to in Article 7(2) and Article 8(1) and (2) shall be conferred on the Commission for an indeterminate period of time from the [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 7(2) and Article 8(1) and (2) shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament</i>	2. The power to adopt delegated acts referred to in Article 7(2) and Article 8(1) and (2) shall be conferred on the Commission for a period of five years [...] from [the entry into force of this Regulation [...]]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

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		<i>or the Council opposes such extension not later than three months before the end of each period.</i>		
1052	3. The delegation of power referred to in Article 7(2) and Article 8(1) and (2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 7(2) and Article 8(1) and (2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
1053	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016* .		Agreement of 13 April 2016 on Better Law-Making [...]*	laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making*.
1054	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
1055	6. A delegated act adopted pursuant to Article 7(2), and Article 8(1) and (2) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months from the notification of that act to the European Parliament and the Council or if, before the expiry of that period,			6. A delegated act adopted pursuant to Article 7(2), and Article 8(1) and (2) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months from the notification of that act to the European Parliament and the Council or if, before the expiry of that period,

* OJ L 123, 12; 5; 2016, p. 1.”;

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	the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
1056	<i>Article 10b</i>			<i>Article 10b</i>
1057	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.			1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.
1058	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 10a(6). In			2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 10a(6). In

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	such case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.			such case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.
1059	(4) in Article 11, paragraphs 3 and 4 are deleted.			(4) in Article 11, paragraphs 3 and 4 are deleted.
1060	145. Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety¹⁷⁶			145. Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety¹⁷⁷
1061	In order to achieve the objectives of Regulation (EC) No 178/2002, the power to adopt			In order to achieve the objectives of Regulation (EC) No 178/2002, the power to adopt

¹⁷⁶ OJ L 31, 1.2.2002, p.1.

¹⁷⁷ OJ L 31, 1.2.2002, p.1.

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	acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend that Regulation as regards the number and names of the Scientific Panels, and to supplement that Regulation with the procedure to be applied by the Authority to the requests for a scientific opinion, with the criteria for inclusion of an institute on the list of competent organisations designated by the Member States, and with the arrangements for setting out harmonised quality requirements and the financial rules governing any financial support.			acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend that Regulation as regards the number and names of the Scientific Panels, and to supplement that Regulation with the procedure to be applied by the Authority to the requests for a scientific opinion, with the criteria for inclusion of an institute on the list of competent organisations designated by the Member States, and with the arrangements for setting out harmonised quality requirements and the financial rules governing any financial support.
1062	It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in		It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted	It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those

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	accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
1063	Accordingly, Regulation (EC) No 178/2002 is amended as follows:			Accordingly, Regulation (EC) No 178/2002 is amended as follows:
1064	(1) in Article 28(4), the second subparagraph is replaced by the following:			(1) in Article 28(4), the second subparagraph is replaced by the following:
1065	"The Commission is empowered to adopt delegated acts in			"The Commission is empowered to adopt delegated acts in

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	accordance with Article 57a amending the first subparagraph as regards the number and names of the Scientific Panels, in the light of technical and scientific development, at the Authority's request";			accordance with Article 57a amending the first subparagraph as regards the number and names of the Scientific Panels, in the light of technical and scientific development, at the Authority's request";
1066	(2) Article 29(6) is replaced by the following:			(2) Article 29(6) is replaced by the following:
1067	"6. In order to apply this Article, the Commission after consulting the Authority shall adopt:			"6. In order to apply this Article, the Commission after consulting the Authority shall adopt:
1068	(a) delegated acts in accordance with Article 57a concerning the procedure to be applied by the Authority to the requests for a scientific opinion;	(a) delegated acts in accordance with Article 57a to supplement this Regulation by establishing the procedure to be applied by the Authority to the requests for a scientific opinion;	(a) delegated acts in accordance with Article 57a supplementing this Regulation by laying down [...] the procedure to be applied by the Authority to the requests for a scientific opinion;	(a) delegated acts in accordance with Article 57a <i>in order to supplement this Regulation by establishing</i> the procedure to be applied by the Authority to the requests for a scientific opinion;
1069	(b) implementing acts laying down the guidelines governing the scientific evaluation of		(b) implementing acts laying down the guidelines governing the scientific evaluation of substances, products or	(b) implementing acts laying down the guidelines governing the scientific evaluation of

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	substances, products or processes which are subject under Community legislation to a system of prior authorisation or entry on a positive list, in particular where Community legislation makes provision for, or authorises, a dossier to be presented for this purpose by the applicant. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 58(2).";		processes which are subject under Union [...] legislation to a system of prior authorisation or entry on a positive list, in particular where Union [...] legislation makes provision for, or authorises, a dossier to be presented for this purpose by the applicant. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 58(2).";	substances, products or processes which are subject under <u>Union</u> legislation to a system of prior authorisation or entry on a positive list, in particular where <u>Union</u> legislation makes provision for, or authorises, a dossier to be presented for this purpose by the applicant. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 58(2).";
1070	(3) in Article 36(3), the first subparagraph is replaced by the following:			(3) in Article 36(3), the first subparagraph is replaced by the following:
1071	"The Commission is empowered to adopt delegated acts in accordance with Article 57a establishing the criteria for inclusion of an institute on the list of competent organisations designated by the Member States, arrangements for setting out harmonised quality	"The Commission is empowered to adopt delegated acts in accordance with Article 57a to supplement this Regulation by establishing the criteria for inclusion of an institute on the list of competent organisations	"The Commission is empowered to adopt delegated acts in accordance with Article 57a in order to supplement this Regulation by establishing the criteria for inclusion of an institute on the list of competent organisations designated by the Member States, arrangements for setting out harmonised quality	"The Commission is empowered to adopt delegated acts in accordance with Article 57a <u>in order to supplement this Regulation by</u> establishing the criteria for inclusion of an institute on the list of competent organisations designated by the Member States, arrangements for

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	requirements and the financial rules governing any financial support.”	designated by the Member States, arrangements for setting out harmonised quality requirements and the financial rules governing any financial support.”	requirements and the financial rules governing any financial support.”;	setting out harmonised quality requirements and the financial rules governing any financial support.”
1072	(4) in Chapter V, the title of Section 1 is replaced by the following:			(4) in Chapter V, the title of Section 1 is replaced by the following:
1073	"SECTION 1 DELEGATIONS OF POWER, IMPLEMENTING AND MEDIATION PROCEDURES";			"SECTION 1 DELEGATIONS OF POWER, IMPLEMENTING AND MEDIATION PROCEDURES";
1074	(5) the following Article 57a is inserted after the title of Section 1:			(5) the following Article 57a is inserted after the title of Section 1:
1075	<i>Article 57a</i> Exercise of the delegation			<i>Article 57a</i> Exercise of the delegation
1076	1. The power to adopt delegated acts is conferred upon the			1. The power to adopt delegated acts is conferred upon the

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	Commission subject to the conditions laid down in this Article.			Commission subject to the conditions laid down in this Article.
1077	2. The <i>power</i> to adopt delegated acts referred to in Article 28(4), Article 29(6) and Article 36(3) shall be conferred upon the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The <i>power</i> to adopt delegated acts referred to in Article 28(4), Article 29(6) and Article 36(3) shall be conferred <i>on</i> the Commission for <i>a</i> period <i>of five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before</i>	2. The <i>power</i> to adopt delegated acts referred to in Article 28(4), Article 29(6) and Article 36(3) shall be conferred upon the Commission for a period of five years [...] from [the entry into force of this Regulation [...]]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

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		<i>the end of each period.</i>		
1078	3. The delegation of power referred to in Article 28(4), Article 29(6) and Article 36(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 28(4), Article 29(6) and Article 36(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
1079	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement on		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the <i>Interinstitutional Agreement of</i>

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	Better Law-Making of 13 April 2016 *.			<u>13 April 2016</u> on Better Law-Making*.
1080	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
1081	6. A delegated act adopted pursuant to Article 28(4), Article 29(6) and Article 36(3) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two			6. A delegated act adopted pursuant to Article 28(4), Article 29(6) and Article 36(3) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two

* OJ L 123, 12.5. 2016, p. 1.";

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	months at the initiative of the European Parliament or of the Council.			months at the initiative of the European Parliament or of the Council.
1082	(6) in Article 58, paragraph 3 is deleted.			(6) in Article 58, paragraph 3 is deleted.
1083	148. Regulation (EC) No 1830/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC¹⁷⁸			148. Regulation (EC) No 1830/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC¹⁷⁹

¹⁷⁸ OJ L 268, 18.10.2003, p. 24

¹⁷⁹ OJ L 268, 18.10.2003, p. 24

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1084	In order to achieve the objectives of Regulation (EC) No 1830/2003, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to supplement that Regulation by establishing a system for the development and assignment of unique identifiers to genetically modified organisms. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at		In order to achieve the objectives of Regulation (EC) No 1830/2003, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to supplement that Regulation by establishing a system for the development and assignment of unique identifiers to genetically modified organisms. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups	In order to achieve the objectives of Regulation (EC) No 1830/2003, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to supplement that Regulation by establishing a system for the development and assignment of unique identifiers to genetically modified organisms. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		dealing with the preparation of delegated acts.	European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
1085	Accordingly, Regulation (EC) No 1830/2003 is amended as follows:			Accordingly, Regulation (EC) No 1830/2003 is amended as follows:

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1086	(1) Article 8 is replaced by the following:			(1) Article 8 is replaced by the following:
1087	"Article 8 Unique identifiers			"Article 8 Unique identifiers
1088	The Commission is empowered to adopt delegated acts, in accordance with Article 9a, establishing and adapting a system for the development and assignment of unique identifiers to GMOs taking account of developments in international fora.;	The Commission is empowered to adopt delegated acts, in accordance with Article 9a, <i>to supplement this Regulation by</i> establishing and adapting a system for the development and assignment of unique identifiers to GMOs taking account of developments in international fora.	The Commission is empowered to adopt delegated acts, in accordance with Article 9a, supplementing this Regulation by establishing and adapting a system for the development and assignment of unique identifiers to GMOs taking account of developments in international fora.";	The Commission is empowered to adopt delegated acts, in accordance with Article 9a, <i>in order to supplement this Regulation by</i> establishing and adapting a system for the development and assignment of unique identifiers to GMOs taking account of developments in international fora.";
1089	(2) the following Article 9a is inserted:			(2) the following Article 9a is inserted:
1090	"Article 9a Exercise of the delegation			"Article 9a Exercise of the delegation
1091	1. The power to adopt delegated acts is conferred on the			1. The power to adopt delegated acts is conferred on the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Commission subject to the conditions laid down in this Article.			Commission subject to the conditions laid down in this Article.
1092	2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for <i>a</i> period of <i>five years from ...</i> [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before</i>	2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for a period of five years [...] from [the entry into force of this Regulation [...]]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>the end of each period.</i>		
1093	3. The delegation of power referred to in Article 8 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 8 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
1094	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of</i> <u>13 April 2016</u> on Better Law-Making*.

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	Better Law-Making of 13 April 2016* .			
1095	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
1096	6. A delegated act adopted pursuant to Article 8 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European			6. A delegated act adopted pursuant to Article 8 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the

* OJ L 123, 12; 5; 2016, p.1.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Parliament or of the Council.			initiative of the European Parliament or of the Council.
1097	(3) in Article 10, paragraph 2 is deleted;			(3) in Article 10, paragraph 2 is deleted;
1098	(4) in Article 13, the first subparagraph of paragraph 2 is deleted.			(4) in Article 13, the first subparagraph of paragraph 2 is deleted.
1099	149. Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition¹⁸⁰			149. Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition¹⁸¹
1100	In order to achieve the objectives of Regulation (EC) No 1831/2003, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I, II, III and IV		In order to achieve the objectives of Regulation (EC) No 1831/2003, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I, II, III and IV to that Regulation in order to adapt them to	In order to achieve the objectives of Regulation (EC) No 1831/2003, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the</i> <i>Functioning of the European</i> <i>Union</i> should be delegated to the

¹⁸⁰ OJ L 268, 18.10.2003, p. 29

¹⁸¹ OJ L 268, 18.10.2003, p. 29

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	<p>to that Regulation in order to adapt them to technical progress and to supplement that Regulation with rules to allow for simplified provisions for the authorisation of additives which have been authorised for use in food. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to</p>		<p>technical progress and to supplement that Regulation with rules to allow for simplified provisions for the authorisation of additives which have been authorised for use in food. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p>Commission to amend Annexes I, II, III and IV to that Regulation in order to adapt them to technical progress and to supplement that Regulation with rules to allow for simplified provisions for the authorisation of additives which have been authorised for use in food. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts</p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	meetings of Commission expert groups dealing with the preparation of delegated acts.			systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
1101	<i>Accordingly, Regulation (EC) No 1831/2003 is amended as follows:</i>			Accordingly, Regulation (EC) No 1831/2003 is amended as follows:
1102	(1) in Article 3, paragraph 5 is replaced by the following:			(1) in Article 3, paragraph 5 is replaced by the following:
1103	“5. The Commission is empowered to adopt delegated acts in accordance with Article 21a amending Annex IV in order to adapt the general conditions set out therein to technological progress or scientific development.”;			“5. The Commission is empowered to adopt delegated acts in accordance with Article 21a amending Annex IV in order to adapt the general conditions set out therein to technological progress or scientific development.”;
1104	(2) in Article 6, paragraph 3 is replaced by the following:			(2) in Article 6, paragraph 3 is replaced by the following:
1105	“3. The Commission is empowered to adopt delegated acts in accordance with Article 21a amending Annex I in order			“3. The Commission is empowered to adopt delegated acts in accordance with Article

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	to adapt feed additive categories and functional groups as a result of technological progress or scientific development.";			21a amending Annex I in order to adapt feed additive categories and functional groups as a result of technological progress or scientific development.";
1106	(3) in Article 7(5), the third subparagraph is replaced by the following:			(3) in Article 7(5), the third subparagraph is replaced by the following:
1107	"5. The Commission is empowered to adopt delegated acts in accordance with Article 21a concerning the establishment of rules to allow for simplified provisions for the authorisation of additives which have been authorised for use in food.";	"5. The Commission is empowered to adopt delegated acts in accordance with Article 21a <i>to supplement this Regulation by establishing</i> rules to allow for simplified provisions for the authorisation of additives which have been authorised for use in food.";	"5. The Commission is empowered to adopt delegated acts in accordance with Article 21a supplementing this Regulation by establishing [...] rules to allow for simplified provisions for the authorisation of additives which have been authorised for use in food.";	The Commission is empowered to adopt delegated acts in accordance with Article 21a <i>in order to supplement this Regulation by establishing rules</i> to allow for simplified provisions for the authorisation of additives which have been authorised for use in food.";
1108	(4) in Article 16, paragraph 6 is replaced by the following:			(4) in Article 16, paragraph 6 is replaced by the following:

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
1109	“6. The Commission is empowered to adopt delegated acts in accordance with Article 21a amending Annex III to take technological progress and scientific development into account.”;			“6. The Commission is empowered to adopt delegated acts in accordance with Article 21a amending Annex III to take technological progress and scientific development into account.”;
1110	(5) in Article 21, the fourth paragraph is replaced by the following:			(5) in Article 21, the fourth paragraph is replaced by the following:
1111	“The Commission is empowered to adopt delegated acts in accordance with Article 21a amending Annex II.”;			“The Commission is empowered to adopt delegated acts in accordance with Article 21a amending Annex II.”;
1112	(6) the following Article 21a is inserted:			(6) the following Article 21a is inserted:
1113	“ <i>Article 21a</i> Exercise of the delegation ”			“ <i>Article 21a</i> Exercise of the delegation ”
1114	1. The power to adopt delegated acts is conferred on the Commission subject to the			1. The power to adopt delegated acts is conferred on the Commission subject to the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	conditions laid down in this Article.			conditions laid down in this Article.
1115	2. The power to adopt delegated acts referred to in Article 3(5), Article 6(3), Article 7(5), Article 16(6) and Article 21 shall be conferred on the Commission for an indeterminate period of time from the [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 3(5), Article 6(3), Article 7(5), Article 16(6) and Article 21 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from the ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than</i>	2. The power to adopt delegated acts referred to in Article 3(5), Article 6(3), Article 7(5), Article 16(6) and Article 21 shall be conferred on the Commission for a period of five years [...] from [the entry into force of this Regulation [...]]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>three months before the end of each period.</i>		
1116	3. The delegation of power referred to in Article 3(5), Article 6(3), Article 7(5), Article 16(6) and Article 21 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			
1117	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Interinstitutional Agreement on Better Law-Making of 13 April 2016 *.		Agreement of 13 April 2016 on Better Law-Making [...]*	Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making*.
1118	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
1119	6. A delegated act adopted pursuant to Article 3(5), Article 6(3), Article 7(5), Article 16(6) and Article 21 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be			6. A delegated act adopted pursuant to Article 3(5), Article 6(3), Article 7(5), Article 16(6) and Article 21 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be

* OJ L 123, 12.5.2016, p.1.”;

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	extended by two months at the initiative of the European Parliament or of the Council.			extended by two months at the initiative of the European Parliament or of the Council.
1120	(7) in Article 22, paragraph 3 is deleted.			(7) in Article 22, paragraph 3 is deleted.
1121	150. Regulation (EC) No 2065/2003 of the European Parliament and of the Council of 10 November 2003 on smoke flavourings used or intended for use in or on foods¹⁸²			150. Regulation (EC) No 2065/2003 of the European Parliament and of the Council of 10 November 2003 on smoke flavourings used or intended for use in or on foods¹⁸³
1122	In order to achieve the objectives of Regulation (EC) No 2065/2003, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Regulation following a request to the Authority for scientific and/or technical assistance and to supplement that Regulation		In order to achieve the objectives of Regulation (EC) No 2065/2003, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Regulation following a request to the Authority for scientific and/or technical assistance and to supplement that Regulation with quality criteria for validated analytical methods. It is of particular importance	In order to achieve the objectives of Regulation (EC) No 2065/2003, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend the Annexes to that Regulation following a request to the Authority for scientific and/or

¹⁸² OJ L 309, 26.11.2003, p. 1

¹⁸³ OJ L 309, 26.11.2003, p. 1

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	<p>with quality criteria for validated analytical methods. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>		<p>that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p>technical assistance and to supplement that Regulation with quality criteria for validated analytical methods. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
1123	Accordingly, Regulation (EC) No 2065/2003 is amended as follows:			Accordingly, Regulation (EC) No 2065/2003 is amended as follows:
1124	(1) in Article 17, paragraph 3 is replaced by the following:			(1) in Article 17, paragraph 3 is replaced by the following:
1125	"3. The Commission is empowered to adopt delegated acts in accordance with Article 18a concerning quality criteria for validated analytical methods referred to in point 4 of Annex II, including substances to be measured. Those delegated acts shall take into account available scientific evidence.";	"3. The Commission is empowered to adopt delegated acts in accordance with Article 18a <i>to supplement this Regulation by establishing</i> quality criteria for validated analytical methods referred to in point 4 of Annex II, including substances to be measured. Those delegated acts shall take into account available scientific evidence."	"3. The Commission is empowered to adopt delegated acts in accordance with Article 18a supplementing this Regulation by establishing [...] quality criteria for validated analytical methods referred to in point 4 of Annex II, including substances to be measured. Those delegated acts shall take into account available scientific evidence.";	"3. The Commission is empowered to adopt delegated acts in accordance with Article 18a <i>in order to supplement this Regulation by establishing</i> quality criteria for validated analytical methods referred to in point 4 of Annex II, including substances to be measured. Those delegated acts shall take into account available scientific evidence."
1126	(2) in Article 18, paragraph 1 is replaced by the following:			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
1127	"1. The Commission is empowered to adopt delegated acts in accordance with Article 18a amending the Annexes following a request to the Authority for scientific and/or technical assistance.";			
1128	(3) the following Article 18a is inserted:			
1129	<i>"Article 18a</i> Exercise of the delegation			
1130	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			
1131	2. The power to adopt delegated acts referred to in Article 17(3) and Article 18(1) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 17(3) and Article 18(1) shall be conferred on the Commission for <i>a period of five years</i> from ... [date of entry into force of this <i>amending Regulation</i>].	2. The power to adopt delegated acts referred to in Article 17(3) and Article 18(1) shall be conferred on the Commission for a period of five years [...] from [the entry into force of this Regulation [...]]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
1132	3. The delegation of power referred to in Article 17(3) and Article 18(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal</i>			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	<i>of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			
1133	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-Institutional Agreement on Better Law-Making of 13 April 2016 *.		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the <i>Interinstitutional Agreement of 13 April 2016</i> on Better Law-Making*.
1134	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
1135	6. A delegated act adopted pursuant to Article 17(3) and Article 18(1) shall enter into force only if no objection has been expressed either by the			6. A delegated act adopted pursuant to Article 17(3) and Article 18(1) shall enter into force only if no objection has been expressed either by the

* OJ L 123 12.5.2016, p. 1.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
1136	(4) in Article 19, paragraph 3 is deleted.			(4) in Article 19, paragraph 3 is deleted.
1137	154. Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ¹⁸⁴			154. Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ¹⁸⁵
1138	In order to achieve the objectives of Regulation (EC) No		In order to achieve the objectives of Regulation (EC) No 853/2004, the	In order to achieve the objectives of Regulation (EC) No

¹⁸⁴ OJ L 139, 30.4.2004, p. 55

¹⁸⁵ OJ L 139, 30.4.2004, p. 55

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	<p>853/2004, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes II and III to that Regulation and to supplement that Regulation in respect of the use of substances other than potable water to remove surface contamination from products of animal origin, in respect of amendments of the special guarantees relating to placing certain food of animal origin on the market in Sweden or Finland and in respect of derogations from the Annexes II and III to that Regulation (EC) No 853/2004 . It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles</p>		<p>power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes II and III to that Regulation and to supplement that Regulation in respect of the use of substances other than potable water to remove surface contamination from products of animal origin, in respect of amendments of the special guarantees relating to placing certain food of animal origin on the market in Sweden or Finland and in respect of derogations from the Annexes II and III to that Regulation (EC) No 853/2004 . It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European</p>	<p>853/2004, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend Annexes II and III to that Regulation and to supplement that Regulation in respect of the use of substances other than potable water to remove surface contamination from products of animal origin, in respect of amendments of the special guarantees relating to placing certain food of animal origin on the market in Sweden or Finland and in respect of derogations from the Annexes II and III to that Regulation (EC) No 853/2004 . It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in</p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
1139	Accordingly, Regulation (EC) No 853/2004 is amended as follows:			Accordingly, Regulation (EC) No 853/2004 is amended as follows:
1140	(1) in Article 3, paragraph 2 is replaced by the following:			(1) in Article 3, paragraph 2 is replaced by the following:
1141	"2. Food business operators shall not use any substance other than potable water — or, when Regulation (EC) No 852/2004 or this Regulation permits its use, clean water — to remove surface	"2. Food business operators shall not use any substance other than potable water — or, when Regulation (EC) No 852/2004 or this	"2. Food business operators shall not use any substance other than potable water — or, when Regulation (EC) No 852/2004 or this Regulation permits its use, clean water — to remove surface contamination from products of animal	"2. Food business operators shall not use any substance other than potable water — or, when Regulation (EC) No 852/2004 or this Regulation permits its use, clean water — to remove surface

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	contamination from products of animal origin, unless use of the substance has been approved by the Commission. For that purpose the Commission is empowered to adopt delegated acts in accordance with Article 11a. Food business operators shall also comply with any conditions for use that may be adopted under the same procedure. The use of an approved substance shall not affect the food business operator's duty to comply with the requirements of this Regulation.”	Regulation permits its use, clean water — to remove surface contamination from products of animal origin, unless use of the substance has been approved by the Commission. For that purpose the Commission is empowered to adopt delegated acts in accordance with Article 11a <i>that supplement this Regulation</i> . Food business operators shall also comply with any conditions for use that may be adopted under the same procedure. The use of an approved substance shall not affect the food business operator's duty to comply with the requirements of this Regulation.”	origin, unless use of the substance has been approved by the Commission. For that purpose the Commission is empowered to adopt delegated acts in accordance with Article 11a supplementing this Regulation . Food business operators shall also comply with any conditions for use that may be adopted under the same procedure. The use of an approved substance shall not affect the food business operator's duty to comply with the requirements of this Regulation.”;	contamination from products of animal origin, unless use of the substance has been approved by the Commission. For that purpose the Commission is empowered to adopt delegated acts in accordance with Article 11a <u>supplementing this Regulation</u> . Food business operators shall also comply with any conditions for use that may be adopted under the same procedure. The use of an approved substance shall not affect the food business operator's duty to comply with the requirements of this Regulation.”

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
1142	(2) in Article 8(3), point (a) is replaced by the following:			(2) in Article 8(3), point (a) is replaced by the following:
1143	“(a) The Commission is empowered to adopt delegated acts in accordance with Article 11a [amending paragraphs 1 and 2 in order to update the requirements set out in those paragraphs], taking into account changes in Member States’ control programmes or of the adoption of microbiological criteria in accordance with Regulation (EC) No 852/2004.”	“(a) The Commission is empowered to adopt delegated acts in accordance with Article 11a amending paragraphs 1 and 2 in order to update the requirements set out in those paragraphs, taking into account changes in Member States’ control programmes or of the adoption of microbiological criteria in accordance with Regulation (EC) No 852/2004.”		“(a) The Commission is empowered to adopt delegated acts in accordance with Article 11a amending paragraphs 1 and 2 in order to update the requirements set out in those paragraphs, taking into account changes in Member States’ control programmes or of the adoption of microbiological criteria in accordance with Regulation (EC) No 852/2004.”
1144	(3) Article 9 is deleted;			(3) Article 9 is deleted;
1145	(4) in Article 10, paragraphs 1 and 2 are replaced by the following:			(4) in Article 10, paragraphs 1 and 2 are replaced by the following:

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1146	"1. The Commission is empowered to adopt delegated acts in accordance with Article 11a amending Annexes II and III. The amendments shall have the aim of ensuring and facilitating the achievement of the objectives of the Regulation, taking into account the relevant risk factors, and shall be justified on the basis of:			"1. The Commission is empowered to adopt delegated acts in accordance with Article 11a amending Annexes II and III. The amendments shall have the aim of ensuring and facilitating the achievement of the objectives of the Regulation, taking into account the relevant risk factors, and shall be justified on the basis of:
1147	(a) the experience gained by food business operators and/or competent authorities, in particular on the implementation of HACCP-based systems pursuant to Article 5;			(a) the experience gained by food business operators and/or competent authorities, in particular on the implementation of HACCP-based systems pursuant to Article 5;
1148	(b) the experience gained by the Commission, in particular on the outcome of its audits;			(b) the experience gained by the Commission, in particular on the outcome of its audits;
1149	(c) technological developments and their practical consequences and consumer expectations with regard to food composition;			(c) technological developments and their practical consequences and consumer expectations with regard to food composition;
1150	(d) scientific advice, particularly new risk assessments;			(d) scientific advice, particularly new risk assessments;

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1151	(e) microbiological and temperature criteria for foodstuffs;			(e) microbiological and temperature criteria for foodstuffs;
1152	(f) changes in patterns of consumption.			(f) changes in patterns of consumption.
1153	The amendments referred to in the first subparagraph shall concern:			The amendments referred to in the first subparagraph shall concern:
1154	(a) the requirements on the identification marking of products of animal origin;			(a) the requirements on the identification marking of products of animal origin;
1155	(b) the objectives of HACCP-based procedures;			(b) the objectives of HACCP-based procedures;
1156	(c) the requirements on the food chain information;			(c) the requirements on the food chain information;
1157	(d) the specific hygiene requirements for the premises, including means of transport, where products of animal origin are produced, handled, processed, stored or distributed;			(d) the specific hygiene requirements for the premises, including means of transport, where products of animal origin are produced, handled, processed, stored or distributed;
1158	(e) the specific hygiene requirements for the operations involving the production, handling, processing, storage,			(e) the specific hygiene requirements for the operations involving the production, handling, processing, storage,

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	transport or distribution of products of animal origin;			transport or distribution of products of animal origin;
1159	(f) the rules for the transport of meat while it is warm;			(f) the rules for the transport of meat while it is warm;
1160	(g) the health standards or checks, where there is scientific evidence indicating that they are necessary to protect public health;			(g) the health standards or checks, where there is scientific evidence indicating that they are necessary to protect public health;
1161	(h) the extension of Annex III, Section VII, Chapter IX, to live bivalve molluscs other than pectinidae;			(h) the extension of Annex III, Section VII, Chapter IX, to live bivalve molluscs other than pectinidae;
1162	(i) the criteria for determining when epidemiological data indicate that a fishing ground does not present a health hazard with regard to the presence of parasites and, consequently, for determining when the competent authority may authorise food business operators not to freeze fishery products in accordance with Annex III, Section VIII, Chapter III, Part D;			(i) the criteria for determining when epidemiological data indicate that a fishing ground does not present a health hazard with regard to the presence of parasites and, consequently, for determining when the competent authority may authorise food business operators not to freeze fishery products in accordance with Annex III, Section VIII, Chapter III, Part D;

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
1163	(j) the additional health standards for live bivalve molluscs in cooperation with the relevant Union Reference Laboratory, including:			(j) the additional health standards for live bivalve molluscs in cooperation with the relevant Union Reference Laboratory, including:
1164	(i) limit values and analysis methods for other marine biotoxins;			(i) limit values and analysis methods for other marine biotoxins;
1165	(ii) virus testing procedures and virological standards; and			(ii) virus testing procedures and virological standards; and
1166	(iii) sampling plans and the methods and analytical tolerances to be applied to check compliance with the health standards;			(iii) sampling plans and the methods and analytical tolerances to be applied to check compliance with the health standards;
1167	2. The Commission is empowered to adopt delegated acts in accordance with Article 11a granting derogations from Annex II and III , taking into account the relevant risk factors and provided that such derogations do not affect the achievement of the following objectives of this Regulation:	2. The Commission is empowered to adopt delegated acts in accordance with Article 11a <i>to supplement this Regulation by</i> granting derogations from Annex II and III, taking into account the relevant risk factors and provided that	2. The Commission is empowered to adopt delegated acts in accordance with Article 11a supplementing this Regulation by granting derogations from Annex II and III, taking into account the relevant risk factors and provided that such derogations do not affect the achievement of the following objectives of this Regulation:	2. The Commission is empowered to adopt delegated acts in accordance with Article 11a <i>in order to supplement this Regulation by</i> granting derogations from Annex II and III, taking into account the relevant risk factors and provided that such derogations do not affect the achievement of

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		such derogations do not affect the achievement of the following objectives of this Regulation:		the following objectives of this Regulation:
1168	(a) to facilitate their implementation by small businesses;		(a) to facilitate the [...] implementation of the requirements laid down in the Annexes in [...]small businesses;	(a) to facilitate the <i>fulfillment of the requirements laid down in the Annexes by</i> small businesses;
1169	(b) to enable the continued use of traditional methods at any of the stages of production, processing or distribution of food;			(b) to enable the continued use of traditional methods at any of the stages of production, processing or distribution of food;
1170	(c) to accommodate the needs of food businesses situated in regions that are subject to special geographic constraints;			(c) to accommodate the needs of food businesses situated in regions that are subject to special geographic constraints;
1171	(d) to establishments producing raw material which is intended for the production of highly		(d) to facilitate work of establishments producing raw material which is intended for the production of	(d) to <i>facilitate work of</i> establishments producing raw material which is intended for

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	refined food products and which has undergone a treatment ensuring its safety.";		highly refined food products and which has undergone a treatment ensuring its safety.";	the production of highly refined food products and which has undergone a treatment ensuring its safety.";
1172	(5) Article 11 is amended as follows:			(5) Article 11 is amended as follows:
1173	(a) the introductory phrase is replaced by the following:			(a) the introductory phrase is replaced by the following:
1174	"Without prejudice to the general application of Article 9 and Article 10(1), the Commission may lay down the following measures by means of implementing act. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 12(2).";			"Without prejudice to the general application of Article 9 and Article 10(1), the Commission may lay down the following measures by means of implementing act. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 12(2).";
1175	(b) paragraphs 1, 5, 6, 7 and 8 are deleted.			(b) paragraphs 1, 5, 6, 7 and 8 are deleted.
1176	(6) the following Article 11a is inserted:			(6) the following Article 11a is inserted:
1177	<i>"Article 11a</i> Exercise of the delegation			<i>"Article 11a</i> Exercise of the delegation

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
1178	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
1179	2. The power to adopt delegated acts referred to in Article 3(2), Article 8(3)(a) and Article 10(1) and (2) shall be conferred for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 3(2), Article 8(3)(a) and Article 10(1) and (2) shall be conferred <i>on the Commission</i> for a period <i>of five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or</i>	2. The power to adopt delegated acts referred to in Article 3(2), Article 8(3)(a) and Article 10(1) and (2) shall be conferred for a period of five years [...] from [the entry into force of this Regulation [...]]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>the Council opposes such extension not later than three months before the end of each period.</i>		
1180	3. The delegation of <i>powers</i> referred to in Article 3(2), Article 8(3)(a) and Article 10(1) and (2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of <i>powers</i> referred to in Article 3(2), Article 8(3)(a) and Article 10(1) and (2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
1181	4. Before adapting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional	4. Before <i>adopting</i> a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Interinstitutional Agreement on Better-Law-making of 13 April 2016*.		Agreement of 13 April 2016 on Better Law-Making [...]*.	Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making*.
1182	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
1183	6. A delegated act adopted pursuant to Article 3(2), Article 8(3)(a) and Article 10(1) and (2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That			6. A delegated act adopted pursuant to Article 3(2), Article 8(3)(a) and Article 10(1) and (2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That

* OJ L 123, 12.5.2016, p.1.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	period shall be extended by two months at the initiative of the European Parliament or the Council.			period shall be extended by two months at the initiative of the European Parliament or the Council.
1184	(7) in Article 12, paragraph 3 is deleted.			(7) in Article 12, paragraph 3 is deleted.
1185	156. Regulation (EC) No 183/2005 of the European Parliament and of the Council of 12 January 2005 laying down requirements for feed hygiene¹⁸⁶			156. Regulation (EC) No 183/2005 of the European Parliament and of the Council of 12 January 2005 laying down requirements for feed hygiene¹⁸⁷
1186	In order to achieve the objectives of Regulation (EC) No 183/2005, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I, II and III to that Regulation in order to adapt them to technical progress and to		In order to achieve the objectives of Regulation (EC) No 183/2005, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I, II and III to that Regulation in order to adapt them to technical progress and to supplement that Regulation by defining the specific	In order to achieve the objectives of Regulation (EC) No 183/2005, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend Annexes I, II and III to that Regulation in

¹⁸⁶ OJ L 35, 8.2.2005, p. 1.

¹⁸⁷ OJ L 35, 8.2.2005, p. 1.

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	<p>supplement that Regulation by defining the specific microbiological criteria and targets, by approving feed business establishments and by granting derogations from Annexes I, II and III to that Regulation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to</p>		<p>microbiological criteria and targets, by approving feed business establishments and by granting derogations from Annexes I, II and III to that Regulation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p>order to adapt them to technical progress and to supplement that Regulation by defining the specific microbiological criteria and targets, by approving feed business establishments and by granting derogations from Annexes I, II and III to that Regulation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts</p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	meetings of Commission expert groups dealing with the preparation of delegated acts.			systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
1187	Accordingly, Regulation (EC) No 183/2005 is amended as follows:			Accordingly, Regulation (EC) No 183/2005 is amended as follows:
1188	(1) in Article 5(3), the second subparagraph is replaced by the following:			(1) in Article 5(3), the second subparagraph is replaced by the following:
1189	“The Commission is empowered to adopt delegated acts in accordance with Article 30a defining the criteria and targets referred to in points (a) and (b).”	“The Commission is empowered to adopt delegated acts in accordance with Article 30a <i>to supplement this Regulation by</i> defining the criteria and targets referred to in points (a) and (b).”	"The Commission is empowered to adopt delegated acts in accordance with Article 30a supplementing this Regulation by defining the criteria and targets referred to in points (a) and (b).";	“The Commission is empowered to adopt delegated acts in accordance with Article 30a <i>in order to supplement this Regulation by</i> defining the criteria and targets referred to in points (a) and (b).”
1190	(2) in Article 10, point (3) is replaced by the following:			(2) in Article 10, point (3) is replaced by the following:
1191	“(3) approval is required by a Delegated Regulation that the Commission is empowered to adopt in accordance with Article	“(3) approval is required by a Delegated Regulation that the Commission is	"(3) approval is required by a Delegated Regulation that the Commission is empowered to adopt in	“(3) approval is required by a Delegated Regulation that the Commission is empowered to adopt in accordance with Article

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	30a.”	empowered to adopt in accordance with Article 30a <i>and that supplements this Regulation.</i> ”	accordance with Article 30a in order to supplement this Regulation. ”;	30a <i>in order to supplement this Regulation.</i> ”;
1192	(3) in Article 27, the second paragraph is replaced by the following:			(3) in Article 27, the second paragraph is replaced by the following:
1193	"The Commission is empowered to adopt delegated acts in accordance with Article 30a to amend Annexes I, II and III.";			"The Commission is empowered to adopt delegated acts in accordance with Article 30a to amend Annexes I, II and III.";
1194	(4) Article 28 is replaced by the following:			(4) Article 28 is replaced by the following:
1195	"Article 28			"Article 28
1196	The Commission is empowered to adopt delegated acts in accordance with Article 30a granting derogations from Annexes I, II and III for particular reasons, provided that such derogations do not affect the achievement of the objectives of this Regulation.	The Commission is empowered to adopt delegated acts in accordance with Article 30a <i>to supplement this Regulation by</i> granting derogations from Annexes I, II and III for particular reasons, provided that	The Commission is empowered to adopt delegated acts in accordance with Article 30a supplementing this Regulation by granting derogations from Annexes I, II and III for particular reasons, provided that such derogations do not affect the achievement of the objectives of this Regulation. ”;	The Commission is empowered to adopt delegated acts in accordance with Article 30a <i>in order to supplement this Regulation by</i> granting derogations from Annexes I, II and III for particular reasons, provided that such derogations do not affect the achievement of

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		such derogations do not affect the achievement of the objectives of this Regulation.		the objectives of this Regulation.
1197	(5) the following Article 30a is inserted:			(5) the following Article 30a is inserted:
1198	<i>"Article 30a</i> Exercise of the delegation			<i>"Article 30a</i> Exercise of the delegation
1199	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
1200	2. The power to adopt delegated acts referred to in Article 5(3), Article 10(3), Article 27 and Article 28 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of the Omnibus].	2. The power to adopt delegated acts referred to in Article 5(3), Article 10(3), Article 27 and Article 28 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of <i>this amending Regulation</i>]. <i>The Commission shall draw up a report in</i>	2. The power to adopt delegated acts referred to in Article 5(3), Article 10(3), Article 27 and Article 28 shall be conferred on the Commission for a period of five years [...] from [the entry into force of this Regulation [...]]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
1201	3. The delegation of power referred to in Article 5(3), Article 10(3), Article 27 and Article 28 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified			3. The delegation of power referred to in Article 5(3), point (3) of Article 10, Article 27 and Article 28 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	therein. It shall not affect the validity of any delegated acts already in force.			therein. It shall not affect the validity of any delegated acts already in force.
1202	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 *.		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of 13 April 2016</i> on Better Law-Making*.
1203	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
1204	6. A delegated act adopted pursuant to Article 5(3), Article 10(3), Article 27 and Article 28 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council			6. A delegated act adopted pursuant to Article 5(3), point (3) of Article 10, Article 27 and Article 28 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council

* OJ L 123, 12.5.2016, p.1.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
1205	(5) in Article 31, paragraph 3 is deleted.			(5) in Article 31, paragraph 3 is deleted.
1206	160. Regulation (EC) No 1394/2007 of the European Parliament and of the Council of 13 November 2007 on advanced therapy medicinal products and amending Directive 2001/83/EC and Regulation (EC) No 726/2004¹⁸⁸			160. Regulation (EC) No 1394/2007 of the European Parliament and of the Council of 13 November 2007 on advanced therapy medicinal products and amending Directive 2001/83/EC and Regulation (EC) No 726/2004¹⁸⁹

¹⁸⁸ OJ L 324, 10.12.2007, p. 121.

¹⁸⁹ OJ L 324, 10.12.2007, p. 121.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
1207	<p>In order to achieve the objectives of Regulation (EC) No 1394/2007, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Regulation to adapt them to technical and scientific progress. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts</p>		<p>In order to achieve the objectives of Regulation (EC) No 1394/2007, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to that Regulation to adapt them to technical and scientific progress. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p>In order to achieve the objectives of Regulation (EC) No 1394/2007, the power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend the Annexes to that Regulation to adapt them to technical and scientific progress. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at</p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
1208	Accordingly, Regulation (EC) No 1394/2007 is amended as follows:			Accordingly, Regulation (EC) No 1394/2007 is amended as follows:
1209	(1) Article 24 is replaced by the following:			(1) Article 24 is replaced by the following:
1210	<i>"Article 24</i> Amendments of Annexes			<i>"Article 24</i> Amendments of Annexes
1211	The Commission is empowered to adopt delegated acts in accordance with Article 25a amending the Annexes to adapt them to technical and scientific progress, after consulting the Agency.";			The Commission is empowered to adopt delegated acts in accordance with Article 25a amending the Annexes to adapt them to technical and scientific progress, after consulting the Agency.";
1212	(2) the following Article 25a is inserted:			(2) the following Article 25a is inserted:
1213	<i>"Article 25a</i> Exercise of the delegation			<i>"Article 25a</i> Exercise of the delegation

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
1214	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
1215	2. The power to adopt delegated acts referred to in Article 24 shall be conferred to the Commission for an indeterminate period from [date of entry into force of this omnibus].	2. The power to adopt delegated acts referred to in Article 24 shall be conferred <i>on</i> the Commission for <i>a</i> period <i>of five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes</i>	2. The power to adopt delegated acts referred to in Article 24 shall be conferred to the Commission for a period of five years [...] from [the entry into force of this Regulation [...]]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>such extension not later than three months before the end of each period.</i>		
1216	3. The delegation of power referred to in Article 24 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 24 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
1217	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 *.		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making*.
1218	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
1219	6. A delegated act adopted pursuant to Article 24 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act			6. A delegated act adopted pursuant to Article 24 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act

* OJ L 123, 12.5.2016, p.1 -";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
1220	(3) in Article 26, paragraph 3 is deleted.			(3) in Article 26, paragraph 3 is deleted.
1221	164. Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides*			164. Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides*
1222	In order to set a framework for Union action to achieve the sustainable use of pesticides, the		In order to set a framework for Union action to achieve the sustainable use of pesticides, the power to adopt acts in	In order to set a framework for Union action to achieve the sustainable use of pesticides, the

* OJ L 309, 24.11.2009, p. 71.

* OJ L 309, 24.11.2009, p. 71.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	<p>power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I to IV to Directive 2009/128/EC in order to take account of scientific and technical progress. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to</p>		<p>accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I to IV to Directive 2009/128/EC in order to take account of scientific and technical progress. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p>power to adopt acts in accordance with Article 290 of the Treaty <i>on the Functioning of the European Union</i> should be delegated to the Commission to amend Annexes I to IV to Directive 2009/128/EC in order to take account of scientific and technical progress. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts</p>

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	meetings of Commission expert groups dealing with the preparation of delegated acts.			systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
1223	Accordingly, Directive 2009/128/EC is amended as follows:			Accordingly, Directive 2009/128/EC is amended as follows:
1224	(1) in Article 5, paragraph 3 is replaced by the following:			(1) in Article 5, paragraph 3 is replaced by the following:
1225	"3. The Commission is empowered to adopt delegated acts in accordance with Article 20a amending Annex I in order to take account of scientific and technical progress.";			"3. The Commission is empowered to adopt delegated acts in accordance with Article 20a amending Annex I in order to take account of scientific and technical progress.";
1226	(2) in Article 8, paragraph 7 is replaced by the following:			(2) in Article 8, paragraph 7 is replaced by the following:
1227	"7. The Commission is empowered to adopt delegated acts in accordance with Article 20a amending Annex II in order to take account of scientific and technical progress.";			"7. The Commission is empowered to adopt delegated acts in accordance with Article 20a amending Annex II in order to take account of scientific and technical progress.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
1228	(3) in Article 14(4), the second subparagraph is replaced by the following:			(3) in Article 14(4), the second subparagraph is replaced by the following:
1229	"The Commission is empowered to adopt delegated acts in accordance with Article 20a amending Annex III in order to take account of scientific and technical progress.";			"The Commission is empowered to adopt delegated acts in accordance with Article 20a amending Annex III in order to take account of scientific and technical progress.";
1230	(4) in Article 15(1), the second subparagraph is replaced by the following:			(4) in Article 15(1), the second subparagraph is replaced by the following:
1231	"The Commission shall be empowered to adopt delegated acts in accordance with Article 20a amending Annex IV in order to take account of scientific and technical progress.";			"The Commission shall be empowered to adopt delegated acts in accordance with Article 20a amending Annex IV in order to take account of scientific and technical progress.";
1232	(5) the following Article 20a is inserted:			(5) the following Article 20a is inserted:
1233	<i>"Article 20a</i> Exercise of the delegation			<i>"Article 20a</i> Exercise of the delegation
1234	1. The power to adopt delegated acts is conferred on the Commission subject to the			1. The power to adopt delegated acts is conferred on the Commission subject to the

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	conditions laid down in this Article.			conditions laid down in this Article.
1235	2. The power to adopt delegated acts referred to in Article 5(3), Article 8(7), Article 14(4) and Article 15(1) shall be conferred on the Commission for an indeterminate period of time from the [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 5(3), Article 8(7), Article 14(4) and Article 15(1) shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before</i>	2. The power to adopt delegated acts referred to in Article 5(3), Article 8(7), Article 14(4) and Article 15(1) shall be conferred on the Commission for a period of five years [...] from [the entry into force of this Regulation [...]]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
		<i>the end of each period.</i>		
1236	3. The delegation of power referred to in Article 5(3), Article 8(7), Article 14(4) and Article 15(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.			3. The delegation of power referred to in Article 5(3), Article 8(7), Article 14(4) and Article 15(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
1237	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making [...]*.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement <i>of</i>

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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	Better Law-Making of 13 April 2016 .*			<i>13 April 2016</i> on Better Law-Making*.
1238	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
1239	6. A delegated act adopted pursuant to Article 5(3), Article 8(7), Article 14(4) and Article 15(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the			6. A delegated act adopted pursuant to Article 5(3), Article 8(7), Article 14(4) and Article 15(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the

* OJ L 123, 12; 5; 2016, p.1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT resulting from the technical meetings of 10 - 11 and 31 January 2019
	European Parliament or the Council.			European Parliament or <i>of</i> the Council.
1240		<i>(5a) in Article 21, paragraph 2 is deleted.</i>	(6) Article 21 paragraph 2 is deleted.	<i>(5a)/ (6) in Article 21, paragraph 2 is deleted.</i>

	II. COMMUNICATION NETWORKS, CONTENT AND TECHNOLOGY			II. COMMUNICATION NETWORKS, CONTENT AND TECHNOLOGY
1.	6. Decision No 626/2008/EC of the European Parliament and of the Council of 30 June 2008 on the selection and authorisation of systems providing mobile satellite services (MSS Decision)¹⁹⁰			6. Decision No 626/2008/EC of the European Parliament and of the Council of 30 June 2008 on the selection and authorisation of systems providing mobile satellite services (MSS Decision)¹⁹¹
2.	In order to ensure uniform conditions for the implementation of Decision No 626/2008/EC, implementing			In order to ensure uniform conditions for the implementation of Decision No 626/2008/EC, implementing

¹⁹⁰ OJ L 172, 2.7.2008, p. 15.

¹⁹¹ OJ L 172, 2.7.2008, p. 15.

	powers should be conferred on the Commission concerning appropriate modalities for coordinated application of the rules on enforcement. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.			powers should be conferred on the Commission concerning appropriate modalities for coordinated application of the rules on enforcement. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.
3.	Accordingly, Decision No 626/2008/EC is amended as follows:			Accordingly, Decision No 626/2008/EC is amended as follows:
4.	(1) in Article 9, paragraph 3 is replaced by the following:			(1) in Article 9, paragraph 3 is replaced by the following:
5.	"3. The Commission may adopt, by means of implementing act, measures defining any appropriate modalities for coordinated application of the rules on enforcement referred to in paragraph 2 of this Article, including rules for the coordinated suspension or withdrawal of authorisations for breaches of the common conditions provided for in Article 7(2). Those implementing acts shall be			"3. The Commission may adopt, by means of implementing act, measures defining any appropriate modalities for coordinated application of the rules on enforcement referred to in paragraph 2 of this Article, including rules for the coordinated suspension or withdrawal of authorisations for breaches of the common conditions provided for in Article 7(2). Those implementing acts shall be adopted in accordance with the

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	adopted in accordance with the procedure referred to in Article 10(3).";			procedure referred to in Article 10(3).";
6.	(2) in Article 10, paragraph 4 is deleted.			(2) in Article 10, paragraph 4 is deleted.
7.				
1.	III. HUMANITARIAN AID AND CIVIL PROTECTION			III. HUMANITARIAN AID AND CIVIL PROTECTION
2.	7. Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid¹⁹²			7. Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid¹⁹³
3.	Since its adoption in 1996, no measures have ever had to be adopted by the Commission in accordance with the regulatory procedure with scrutiny in order to amend non-essential elements of Regulation (EC) No 1257/96. There does not seem to be any foreseeable		Since its adoption in 1996, no measures have ever had to be adopted by the Commission in accordance with the regulatory procedure with scrutiny in order to amend non-essential elements of Regulation (EC) No 1257/96. There does not seem to be any foreseeable need to do so in the future. The possibility to adopt	Since its adoption in 1996, no measures have ever had to be adopted by the Commission in accordance with the regulatory procedure with scrutiny in order to amend non-essential elements of Regulation (EC) No 1257/96. There does not seem to be any foreseeable need to do so in the

¹⁹² OJ L 163, 2.7.1996, p. 1.

¹⁹³ OJ L 163, 2.7.1996, p. 1.

	need to do so in the future. The possibility to adopt implementing measures in accordance with the regulatory procedure with scrutiny should therefore be removed from Regulation (EC) No 1257/96, without there being a need to empower the Commission to adopt delegated acts in accordance with Article 290 of the Treaty.		implementing measures in accordance with the regulatory procedure with scrutiny should therefore be removed from Regulation (EC) No 1257/96, without there being a need to empower the Commission to adopt delegated or implementing acts in accordance with, respectively , Articles 290 and 291 of the Treaty.	future. The possibility to adopt implementing measures in accordance with the regulatory procedure with scrutiny should therefore be removed from Regulation (EC) No 1257/96, without there being a need to <i>give any empowerment to</i> the Commission.
4.	Accordingly, Regulation (EC) No 1257/96 is amended as follows:			Accordingly, Regulation (EC) No 1257/96 is amended as follows:
5.	(1) in Article 15, paragraph 1 is deleted;			(1) in Article 15, paragraph 1 is deleted;
6.	(2) in Article 17, paragraph 4 is deleted.			(2) in Article 17, paragraph 4 is deleted.

1.	XIII. TAXATION AND CUSTOMS UNION			XIII. TAXATION AND CUSTOMS UNION
2.	168. Decision No 70/2008/EC of the European Parliament and of the Council of 15 January 2008 on a paperless environment for customs and trade¹⁹⁴			168. Decision No 70/2008/EC of the European Parliament and of the Council of 15 January 2008 on a paperless environment for customs and trade¹⁹⁵
3.	Under Article 15 of Decision No 70/2008/EC the Commission is empowered to extent certain time limits in accordance with Council Decision 1999/468/EC ¹⁹⁶ . That empowerment has never been exercised and is no longer needed. Therefore, it is not necessary to adapt it to Article 290 of the Treaty Instead, the empowerment should be revoked and Articles 15 and 16			Under Article 15 of Decision No 70/2008/EC the Commission is empowered to extent certain time limits in accordance with Council Decision 1999/468/EC ¹⁹⁷ . That empowerment has never been exercised and is no longer needed. Therefore, <i>there is no need to give any empowerment to the Commission.</i> Instead, the empowerment should be revoked and Articles 15 and 16

¹⁹⁴ OJ L 23, 26.1.2008, p. 21.

¹⁹⁵ OJ L 23, 26.1.2008, p. 21.

¹⁹⁶ Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).

¹⁹⁷ Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).

	of the Decision should be deleted.			of the Decision should be deleted.
4.	Accordingly, in Decision No 70/2008/EC, Articles 15 and 16 are deleted.			Accordingly, in Decision No 70/2008/EC, Articles 15 and 16 are deleted.