

Getting the details right: how Parliament scrutinises how legislation is implemented

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As co-legislator, the European Parliament is fully involved in setting up general rules and making policy choices in areas as diverse as food safety, data protection and the fight against terrorism. How these rules are then put into practice also matters, as technical requirements can make a big difference to Europeans' everyday lives. That is why MEPs are focussing more and more on the delegated and implementing acts that set out how adopted legislation should be carried out.

What implementing and delegated acts are

Legislation often sets out principles or general policies, but details are left to be worked out in subsequent acts. Since the Lisbon Treaty entered into force in 2009, these are known as implementing and delegated acts.

Implementing acts

Implementing acts describe how legislative acts should be implemented. They are normally prepared by the Commission, which consults committees made up of representatives from EU countries.

MEPs can object to an implementing act. Although the Commission must then consider Parliament's position, it is not bound by it.

Delegated acts

Delegated acts are used to change or supplement existing legislation. They are a way for Parliament and the Council to authorise the European Commission to revise non-essential parts of legislation, for example by adding an annex. However, Parliament and Council cannot delegate their legislative powers to the Commission to change essential parts of legislative acts.

If Parliament and the Council do not agree with the Commission's subsequent proposal, they can veto it.

Recent examples of Parliament oversight

MEPs vetoed a delegated act concerning [suger in baby food](#) in January, as they fear the allowed limits are too high.

A delegated act proposing to temporarily raise [NOx emission limits for diesel cars](#) was backed by Parliament in February after the Commission promised to include a review clause.

Also in February MEPs objected to implementing acts approving three types of [genetically modified soybeans](#) as they were concerned the soybeans could contain traces of a herbicide that was classified as "probably carcinogenic".

Find out more

- Q&A on delegated and implementing acts:
<http://www.europarl.europa.eu/sides/getDoc.do?language=en&type=IM-PRESS&reference=20100323BKG71187>
- Delegated acts: Art. 290 of the Treaty on the Functioning of the European Union: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:12012E290>
- Implementing acts: Art. 291 of the Treaty on the Functioning of the European Union: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:12012E291>
- Parliament own-initiative report on delegated and implementing acts (December 2013):
<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A7-2013-0435+0+DOC+XML+V0//EN>