COMITOLGY – REGULATORY PROCEDURE WITH SCRUTINY
(To be phased out by 2014 at the latest)
(Established by article 5.a of Council Decision 1999/468/EC)

Commission submits draft of implementing measure(s) to be taken

Regulatory Procedure with Scrutiny Committee (RPSC)

Positive opinion of RPSC (QM)

Commission submits proposal for scrutiny to the Council and EP

Council & EP do not oppose within 3 months from date of referral ¹

Measure(s) are adopted by Commission

Council (QM) and/or EP (AM) oppose within 3 months ¹

Measure(s) cannot be adopted by Commission

Commission may submit amended proposal to RPSC or present new legislative proposal to be adopted under co-decision

Negative (QM) or no opinion of RPSC

Commission submits proposal to the Council and forwards it to the EP (at the same time)

Council opposes within 2 months from date of referral ¹ (QM)

Measure(s) cannot be adopted by Commission

EP opposes (AM) within 4 months from the original forwarding date

EP does not oppose within 4 months from the original forwarding date

Measure(s) are adopted by Council or Commission, as the case may be

QM = Qualified Majority | AM = Absolute Majority (majority of component members)

¹ Time limits may be extended (for complexity) or curtailed (for efficiency)

EP can veto on 3 legal grounds: Commission exceeds implementing powers provided for in basic legal act, proposed measure(s) are not compatible with the aim or content of the basic legal act or do not respect the principles of subsidiarity or proportionality.