



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Regional Development

11.7.2012

MANDATE¹ for opening inter-institutional negotiations adopted by the Committee on Regional Development at its meeting on 11 July 2012²

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 1082/2006 of the European Parliament and of the Council of 5 July 2006 on a European grouping of territorial cooperation (EGTC) as regards the clarification, simplification and improvement of the establishment and implementation of such groupings (COM(2011)0610/2 – C7-0324/2011 – 2011/0272(COD))

Committee on Regional Development

Rapporteur: Joachim Zeller

¹ Vote on the Mandate according to Rule 70(2) of EP Rules of Procedure.

² Pending verification by DLA Lawyer-Linguists.

Amendment 1

Proposal for a regulation – amending act Recital 4

Text proposed by the Commission

(4) The Treaty of Lisbon has added the territorial dimension to Cohesion Policy and replaced “Community” by the “Union”. The new terminology should therefore be introduced into the EGTC Regulation.

Amendment

(4) A limited number of modifications to the EGTC Regulation, as well as clarification of certain existing provisions ***in order*** to remove persisting barriers and facilitate the establishment and operations of EGTCs have been proposed by the European Commission. The Treaty of Lisbon has added the territorial dimension to Cohesion Policy and replaced “Community” by the “Union”. The new terminology should therefore be introduced into the EGTC Regulation ***and at the same time reinforce its visibility and extend its field of application in order to better promote the harmonious development of the European Union, as a whole and the economic, social and territorial cohesion of its regions, in particular. It should be noted that EGTCs may have particularly positive effects in bringing down barriers in territorial cooperation specifically in regions which suffer from severe and permanent natural or demographic handicaps. The EGTCs should take account of the specific situation of outermost regions or islands situated in the same sea-basin area and can be instrumental in strengthening the cooperation between territorial entities from third countries and EU border regions.***

Amendment 2

Proposal for a regulation – amending act Recital 5

Text proposed by the Commission

(5) Experience with EGTCs set up so far

Amendment

(5) Experience with EGTCs set up so far

shows that the new legal instrument is also being used for cooperation in the implementation of other European policies. The efficiency and effectiveness of EGTCs should be enhanced by broadening the nature of EGTCs.

shows that the new legal instrument is also being used for cooperation in the implementation of other European policies. The efficiency and effectiveness of EGTCs should be enhanced by broadening the nature of EGTCs, *to find possibilities for such types of cooperation which go beyond Cohesion Policy as such. EGTCs have the potential to re-activating the economy and meeting the objectives of the Europe 2020 strategy by implementing European sectoral policy programmes. In this respect, regulations governing other European funds should take greater account of the specific nature of EGTCs and fully exploit their potential in developing the Union's sectoral policies. In addition, the contribution which EGTCs can make to the above mentioned objectives could be clarified in the Partnership Contracts signed between the Member States and the Commission and in the respective Operational Programmes.enhancement of the labour market.*

Amendment 3

Proposal for a regulation – amending act Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) EGTCs often associate different administrative levels and so realise systems of multilevel governance. More flexibility in management structures is therefore needed for effective functioning of complex systems.

Amendment 4

Proposal for a regulation – amending act Recital 8

Text proposed by the Commission

(8) While point (d) of Article 3(1) of the EGTC Regulation allows that bodies established under private law may become members of an EGTC provided that they are considered as being 'public law bodies' in terms of Article 1(9) of Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts, EGTCs may be used in the future to manage jointly public services of general economic interest or infrastructures. Other private or public law actors may therefore also become members of an EGTC. Consequently, 'public undertakings' within the meaning of Article 2(1)(b) of Directive 2004/17/EC of the European Parliament and of the Council of 31 March 2004 coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors should be covered as well.

Amendment

(8) While point (d) of Article 3(1) of the EGTC Regulation allows that bodies established under private law may become members of an EGTC provided that they are considered as being 'public law bodies' in terms of Article 1(9) of Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts, EGTCs may be used in the future to manage jointly public services ***with a particular focus on services of general economic interest, infrastructure or social and health services.*** Other private or public law actors may therefore also become members of an EGTC. Consequently, 'public undertakings' within the meaning of Article 2(1)(b) of Directive 2004/17/EC of the European Parliament and of the Council of 31 March 2004 coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors, ***and, undertakings entrusted with the operation of services of general economic interest in accordance with the criteria defined in the Commission Decision (2012/21/EU) on the application of Article 106(2) of the Treaty on the Functioning of the European Union to state aid in the form of public service compensation¹***, should be covered as well.

¹ *OJ L 7, 11.1.2012, p. 3.*

Amendment 5

Proposal for a regulation – amending act Recital 11

Text proposed by the Commission

(11) Since 1990, European territorial cooperation has been supported by financial instruments under Cohesion policy and in this context cooperation has always been possible in a limited number of cases between only one Member State and a third country. Consequently, the legal instrument EGTC should also be opened to such a cooperation context.

Amendment

(11) Since 1990, European territorial cooperation has been supported by financial instruments under Cohesion policy and in this context cooperation has always been possible in a limited number of cases between only one Member State and a third country. Consequently, the legal instrument EGTC should also be opened to such a cooperation context. ***The establishment of such an EGTC has to comply with one of the criteria listed in point(2) of Article 1(4); of this Regulation.***

Amendment 6

Proposal for a regulation – amending act Recital 15

Text proposed by the Commission

(15) It should be clarified that Member States should approve the convention unless it considers the participation of a prospective member is not in conformity with ***the EGTC Regulation, with other provisions of Union law concerning the EGTC's activities as laid down in the draft convention or with the national substantive law concerning the competences of the prospective member, unless such participation is not justified for reasons of public interest or public policy of that Member State,*** while excluding from the scope of the scrutiny any national law requiring other or stricter rules and procedures than those foreseen by the EGTC Regulation.

Amendment

(15) It should be clarified that Member States should approve the convention unless they consider the participation of a prospective member is not in conformity with any ***of the criteria referred to in Article 1(5)(a) of this Regulation,*** while excluding from the scope of the scrutiny any national law requiring other or stricter rules and procedures than those foreseen by the EGTC Regulation.

Amendment 7

Proposal for a regulation – amending act Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) Cross-border cooperation, within the European Neighbourhood Instrument and the Instrument for Pre-Accession Assistance, should specifically include provisions on EGTCs. Future Union pre-accession and association agreements should be able to recognise EGTCs as specific form for partnerships. In addition, the States affected, should implement this Regulation in order to facilitate the constitution of future Groupings.

Amendment 8

Proposal for a regulation – amending act Recital 19

Text proposed by the Commission

Amendment

(19) The purpose of an EGTC should be extended to cover the facilitating and promotion of territorial cooperation in general, including strategic planning and the management of regional and local concerns in line with Cohesion and other Union policies, thus contributing to the Europe 2020 strategy or to the implementation of macro-regional strategies. In addition, it should be clarified that a given competence needed for the efficient implementation of an EGTC should be represented by at least one member in each of the Member States represented.

(19) The purpose of an EGTC should be extended to cover the facilitating and promotion of territorial cooperation in general, including strategic planning and the management of regional and local concerns in line with Cohesion and other Union policies, thus contributing to the Europe 2020 strategy or to the implementation of macro-regional strategies. ***Therefore, it is important to ensure that an EGTC can also implement operations with financial support other than that provided by Union cohesion policy. The EGTC should be understood as a universal cooperation instrument and therefore be granted full eligibility to all Union funds and programmes.*** In addition, it should be clarified that a given competence needed for the efficient implementation of an EGTC should be represented by at least one member in each

of the Member States represented.

Amendment 9

Proposal for a regulation – amending act Recital 22

Text proposed by the Commission

(22) While it is laid down that the tasks do not concern, among others, 'regulatory powers', which may have different legal consequences in different Member States, it should nevertheless be specified that an EGTC's assembly may define the terms and conditions of the use of an item of infrastructure **the** EGTC is managing, including the tariffs and fees to be paid by the users.

Amendment

(22) While it is laid down that the tasks do not concern, among others, 'regulatory powers', which may have different legal consequences in different Member States, it should nevertheless be specified that an EGTC's assembly may define the terms and conditions of the use of an item of infrastructure, **or the conditions according to which a service of general economic interest can be provided and** that EGTC is managing, including the tariffs and fees to be paid by the users.

Amendment 10

Proposal for a regulation – amending act Recital 23 a (new)

Text proposed by the Commission

Amendment

(23a) All EGTCs must be able to draw on a European legal basis for concluding partnerships with other EGTCs or other legal entities for the purposes of carrying out joint cooperation projects. By making it possible to conclude agreements with other territorial authorities or entities that act outside the territory covered by an EGTC which is applied specifically to transnational programmes, macro-regional strategies could be structured more easily.

Amendment 11

Proposal for a regulation – amending act Recital 24

Text proposed by the Commission

(24) It should be specified that the convention should not only repeat a reference to the applicable law in general as already laid down in Article 2, but should list the specific Union or national rules applicable to the EGTC as a legal body or to its activities. In addition, it should be specified that such national legislation or rules may be those of the Member State where statutory organs exercise their powers, especially where the staff working under the responsibility of the director is located in a Member State other than the Member State where its office is registered, or where the EGTC carries out its activities including where it is managing public services of general economic interest or infrastructures.

Amendment

deleted

Amendment 12

Proposal for a regulation – amending act Recital 32

Text proposed by the Commission

(32) It should be clarified that Member States inform the Commission about any provisions adopted to implement the EGTC Regulation and to submit these provisions as well as any amendments thereof. In order to improve the information and coordination between the Commission, the Member States and the Committee of the Regions, it should be specified that the Commission will transmit these provisions to the Member States and to the Committee of the Regions. That Committee has set up an EGTC platform allowing all the stakeholders to exchange their experiences and good practices and to improve communication on EGTC opportunities

Amendment

(32) Coordinated efforts for awareness raising among the institutions, the Member States and the regions with regard the potentials the EGTCs carry in themselves should be undertaken, in order to improve the visibility of the possibilities to use EGTCs as instruments available for cross-border cooperation in all EU policy areas. It should be clarified that Member States inform the Commission about any provisions adopted to implement the EGTC Regulation and to submit these provisions as well as any amendments thereof. In order to improve the information and coordination between the Commission, the Member States and the Committee of the

and challenges, facilitating the exchange of experiences on the establishment of EGTCs at territorial level and sharing knowledge of best practices on territorial cooperation.

Regions, it should be specified that the Commission will transmit these provisions to the Member States and to the Committee of the Regions. That Committee has set up an EGTC platform allowing all the stakeholders to exchange their experiences and good practices and to improve communication on EGTC opportunities and challenges, facilitating the exchange of experiences on the establishment of EGTCs at territorial level and sharing knowledge of best practices on territorial cooperation.

Amendment 13

Proposal for a regulation – amending act Recital 32 a (new)

Text proposed by the Commission

Amendment

(32a) Any best practice examples of EGTCs, which may be developed and established through the Committee of the Region's EGTC monitoring platform, should take special account of the goals of the Union's 2020 Strategy as well as macroregional strategies.

Amendment 14

Proposal for a regulation – amending act

Article 1 – point 3 – subpoint a

Regulation (EC) No 1082/2006

Article 3 – paragraph 1 – first subparagraph – point e a (new)

Text proposed by the Commission

Amendment

(ea) undertakings entrusted with the operation of services of general economic interest defined in the Commission Decision 2012/21/EU.

Amendment 15

Proposal for a regulation – amending act

Article 1 – point 4

Regulation (EC) No 1082/2006

Article 3a – paragraph 2

Text proposed by the Commission

2. An EGTC may be made up of members drawn from the territory of only one Member State and of one third country or overseas territory, where ***that Member State considers such an EGTC*** consistent with the scope of ***its territorial cooperation or bilateral relations with the third country or overseas territory***.

Amendment

2. An EGTC may be made up of members drawn from the territory of only one Member State and of one third country or overseas territory, where ***the objectives and tasks, laid down in the draft convention transmitted to the Member State, are*** consistent with the scope of:

(a) the territorial cooperation of the Member State with the third country or overseas territory; or

(b) a European territorial cooperation programme with the third country or overseas territory; or

(c) the bilateral relations of the Member State with the third country or overseas territory.

Amendment 16

Proposal for a regulation – amending act

Article 1 – point 5 – subpoint a

Regulation (EC) No 1082/2006

Article 4 – paragraph 3 – subparagraph 1

Text proposed by the Commission

"3. Following notification under paragraph 2 by a prospective member, the Member State concerned shall approve the convention, taking into account its constitutional structure, and the prospective member's participation in the EGTC, unless it considers that such participation is not in conformity with this Regulation, other Union law concerning the activities of the EGTC or national law concerning the competences of the prospective

Amendment

"3. Following notification under paragraph 2 by a prospective member, the ***competent authority, designated by each*** Member State concerned, shall approve the convention, taking into account its constitutional structure, and the prospective member's participation in the EGTC, unless, ***in one of the following***, it considers that such participation:

member or *that such participation* is not justified for reasons of *public interest or of public policy* of that Member State. In such a case, the Member State shall give a statement of its reasons for withholding agreement or shall suggest the necessary amendments to the convention to enable the prospective member's participation.

(a) is not in conformity with this Regulation, other Union law concerning the activities of the EGTC; or

(b) *is not in conformity with* national law concerning the competences of the prospective member, *in accordance with the provisions of Article 7(2)*; or

(c) is not justified for reasons of public policy of that Member State.

In such a case, the *competent authority designated by each* Member State shall give a statement of its reasons for withholding agreement or shall suggest the necessary amendments to the convention to enable the prospective member's participation.

Amendment 17

Proposal for a regulation – amending act

Article 1 – point 6

Regulation (EC) No 1082/2006

Article 5

Text proposed by the Commission

1. The convention and the statutes and any subsequent amendments thereto shall be registered or published, or both, according to the applicable national law in the Member State where the EGTC concerned has its registered office. The EGTC shall acquire legal personality on the day of registration or publication, whichever occurs first. The members shall inform the Member States concerned, *the Commission* and the Committee of the Regions of the registration or publication

Amendment

1. The convention and the statutes and any subsequent amendments thereto shall be registered or published, or both, according to the applicable national law in the Member State where the EGTC concerned has its registered office *and then published in the other Member States where the EGTC has members*. The EGTC shall acquire legal personality on the day of registration or publication *in the Member State where the EGTC concerned has its registered office*, whichever occurs first.

of the convention.

2. The EGTC shall ensure that, within ten working days from the registration or publication of the convention, a request is sent to the **Commission** following the template set out in the Annex to this Regulation. The **Commission** shall then transfer this request to the Publications Office of the European Union for publication of a notice in the C series of the Official Journal of the European Union announcing the establishment of the EGTC, with the details set out in the Annex to this Regulation."

The members shall inform the Member States concerned and the Committee of the Regions of the registration or publication of the convention.

2. The EGTC shall ensure that, within ten working days from the registration or publication of the convention, a request is sent to the **Committee of the Regions** following the template set out in the Annex to this Regulation. The **Committee of the Regions** shall then transfer this request to the Publications Office of the European Union for publication of a notice in the C series of the Official Journal of the European Union announcing the establishment of the EGTC, with the details set out in the Annex to this Regulation."

Amendment 18

Proposal for a regulation – amending act

Article 1 – paragraph 8 – point a

Regulation (EC) No 1082/2006

Article 7 – paragraph 2

Text proposed by the Commission

2. An EGTC shall act within the confines of the tasks given to it, which shall be the facilitation and promotion of territorial cooperation to strengthen economic, social and territorial cohesion and be determined by its members on the basis that they fall within the competence under national law of at least one member from each Member State represented in that EGTC.

Amendment

2. An EGTC shall act within the confines of the tasks given to it, which shall be the facilitation and promotion of territorial cooperation to strengthen economic, social and territorial cohesion, **overcoming internal market barriers**, and be determined by its members on the basis that they fall within the competence under national law of at least one member from each Member State represented in that EGTC.

Amendment 19

Proposal for a regulation – amending act

Article 1 – point 8 – subpoint a

Regulation (EC) No 1082/2006

Article 7 – paragraph 3

Text proposed by the Commission

3. An EGTC may carry out specific actions of territorial cooperation between its members in pursuit of the objective referred to in Article 1(2), with or without a financial support from the Union.

Specifically, the tasks of an EGTC may concern the implementation of cooperation programmes or parts thereof or of operations supported by the Union through the European Regional Development Fund, the European Social Fund and/or the Cohesion Fund.

Member States may limit the actions that EGTCs may carry out without a financial support from the Union. However, Member States shall not exclude those actions covered by the investment priorities under the Cohesion Policy of the Union as adopted for the period 2014-2020.”

Amendment 20

Proposal for a regulation – amending act

Article 1 – paragraph 8 – point a

Regulation (EC) No 1082/2006

Article 7 – paragraph 3 – subparagraph 3

Text proposed by the Commission

Member States may limit the actions that EGTCs may carry out without a financial support from the Union. However, Member States shall not exclude those actions covered by the investment priorities under the Cohesion Policy of the Union as adopted for the period 2014-

Amendment

3. An EGTC may carry out specific actions of territorial cooperation between its members in pursuit of the objective referred to in Article 1(2), with or without a financial support from the Union.

Specifically, the tasks of an EGTC may concern the implementation of cooperation programmes or parts thereof or of operations supported by the Union through the European Regional Development Fund, the European Social Fund and/or the Cohesion Fund.

An EGTC may carry out actions beyond Cohesion policy as such, related to sectoral policies, with or without financial support from the Union. Such financial support may come from any financial instrument, provided its specific actions concern territorial cooperation.

Member States may limit the actions that EGTCs may carry out without a financial support from the Union. However, Member States shall not exclude those actions covered by the investment priorities under the Cohesion Policy of the Union as adopted for the period 2014-2020.”

Amendment

deleted

2020.”

Amendment 21

Proposal for a regulation – amending act

Article 1 – point 8 – subpoint b

Regulation (EC) No 1082/2006

Article 7 – paragraph 4

Text proposed by the Commission

"However, the assembly referred to in Article 10(1)(a) of an EGTC may define the terms and conditions of the use of an item of infrastructure the EGTC is managing, including the tariffs and fees to be paid by the users."

Amendment

"However, the assembly referred to in Article 10(1)(a) of an EGTC may define the terms and conditions of the use of an item of infrastructure the EGTC is managing, ***or the terms and conditions according to which a service of general economic interest is provided***, including the tariffs and fees to be paid by the users."

Amendment 22

Proposal for a regulation – amending act

Article 1 – point 8 – subpoint b a (new)

Regulation (EC) No 1082/2006

Article 7 – paragraph 5

Text proposed by the Commission

Amendment

(ba) In paragraph 5 the following subparagraph is added:

"Each EGTC may sign a convention with another EGTC or any body which may become a member of an EGTC in order to conduct a European territorial cooperation project that does not fall within the joint tasks of the EGTCs or signatory bodies concerned.

The convention shall include at least the objectives of cooperation, sharing of tasks between the signatories, the duration and estimated amount committed by the signatories, and the law applicable to the convention."

Amendment 23

Proposal for a regulation – amending act

Article 1 – point 9

Regulation (EC) No 1082/2006

Article 8 – paragraph 2 – point h

Text proposed by the Commission

(h) the specific Union or national law applicable to its activities, while the latter may be the law of the Member State where statutory organs exercise their powers or where the EGTC carries out its activities;

Amendment

deleted

Amendment 24

Proposal for a regulation – amending act

Article 1 – point 12 – subpoint b

Regulation (EC) No 1082/2006

Article 12 – paragraph 2 – subparagraph 2a

Text proposed by the Commission

2a. If the liability of at least one member of an EGTC is limited or excluded as a result of the national law under which it is established, the other members may also limit their liability in the convention.

The name of an EGTC whose members have limited liability ***shall include the word "limited".***

The requirement for the publicity of the convention, statutes and accounts of an EGTC whose members have limited liability shall be at least equal to those required for other legal entities with limited liability of its members established under the laws of the Member State where that EGTC has its registered office.

In the case of an EGTC whose members have limited liability, the Member States

Amendment

2a. If the liability of at least one member of an EGTC is limited or excluded as a result of the national law under which it is established, the other members may also limit their liability in the convention.

Tenders and contracts concluded by an EGTC whose members have limited liability ***shall mention that the EGTC has "limited" liability, and the members who have limited liability, together with the references of any insurance contract taken out by the EGTC.***

The requirement for the publicity of the convention, statutes and accounts of an EGTC whose members have limited liability shall be at least equal to those required for other legal entities with limited liability of its members established under the laws of the Member State where that EGTC has its registered office.

In the case of an EGTC whose members have limited liability, the Member States

may require that the EGTC shall take appropriate insurance to cover the risks specific to the activities of the EGTC."

may require that the EGTC shall take appropriate insurance to cover the risks specific to the activities of the EGTC."

Amendment 25

Proposal for a regulation – amending act

Article 1 – point 14

Regulation (EC) No 1082/2006

Article 16 – paragraph 1 – subparagraph 2a

Text proposed by the Commission

Amendment

The European Commission instructs the EGTC Platform overseen by the Committee of the Regions to track the activities of existing EGTCs and those in the process of being set up, organise an exchange of best practice, identify common issues and propose that EGTCs be more effectively integrated into the Union's various sectoral policies.

Amendment 26

Proposal for a regulation – amending act

Article 1 – point 15

Regulation (EC) No 1082/2006

Article 17

Text proposed by the Commission

Amendment

"By mid-2018 the Commission shall forward to the European Parliament, the Council and the Committee of the Regions an evaluation report on the application, effectiveness, efficiency, relevance, European added value and scope for simplification of this Regulation.

"By mid-2018 the Commission shall forward to the European Parliament, the Council and the Committee of the Regions an evaluation report on the application, effectiveness, efficiency, relevance, European added value, ***mainstreaming in the different services of the Commission and by the European External Action Service*** and scope for simplification of this Regulation.

The evaluation reports shall be based on indicators the Commission shall adopt ***by*** delegated acts in accordance with Article 17a."

The Commission shall ***be empowered to*** adopt delegated acts, in accordance with Article 17a, ***laying down the indicators on the basis of which the evaluation reports***

shall be drawn up."

Amendment 27

Proposal for a regulation – amending act

Article 1 – point 16

Regulation (EC) No 1082/2006

Article 17a

Text proposed by the Commission

1. The **powers** to adopt delegated acts **are** conferred on the Commission subject to the conditions laid down in this Article.

2. The delegations of power referred to in **this Regulation** shall be conferred for **an indeterminate** period of **time** from **the date of entry into force of this Regulation**.

3. The delegations of power referred to in Article 17 may be revoked at any time by the European Parliament or by the Council.

A decision of revocation 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.

4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5. **The** delegated **acts** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **2 months** of notification of that act to the European

Amendment

1. The **power** to adopt delegated acts **is** conferred on the Commission subject to the conditions laid down in this Article.

2. The delegations of power referred to in **Article 17** shall be conferred **on the Commission** for **a** period of **5 years** from ...^{*}. **The Commission shall draw up a report in respect of the delegation of power not later than 9 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 3 months before the end of each period.**

3. The delegations of power referred to in Article 17 may be revoked at any time by the European Parliament or by the Council.

A decision of revocation 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.

4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5. **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 **3 months** of notification of that

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 **2 months** at the initiative of the European Parliament or the Council.

If, on expiry of that period, neither the European Parliament nor the Council has objected to the delegated act, it shall be published in the Official Journal of the European Union and shall enter into force at the date stated therein.

The delegated act may be published in the Official Journal of the European Union and enter into force before the expiry of that period if the European Parliament and the Council have both informed the Commission of their intention not to raise objections.

If the European Parliament or the Council objects to a delegated act, the act shall not enter into force. The institution that objects to the delegated act shall state the reasons for its objections."

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 **3 months** at the initiative of the European Parliament or the Council.

** Insert the date of entry into force of this Regulation.*

Amendment 28

Proposal for a regulation – amending act Article 2 – point 2 a (new)

Text proposed by the Commission

Amendment

2a. In the event that EGTCs, which are set up before the entry into force of this Regulation, change their convention and statute, they may opt to be subject to the provisions of this Regulation. If they so choose, they shall indicate this choice in the records of the body which is empowered to modify their convention

and statutes.