COUNCIL OF THE EUROPEAN UNION

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16295/06

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"I/A"ITEM NOTE
from: General Secretariat of the Council
to: COREPER/COUNCIL
No. Cion. prop.: 15409/03 COMPET 75 ENV 651 CHIMIE 3 CODEC 1692
[second reading]
– Approval of the European Parliament amendments (LA + S)

1. The Commission forwarded the above proposal \(^1\), based on Article 95 of the TEC, to the Council on 5 November 2003.

2. The Economic and Social Committee delivered its opinion on 31 March 2004 \(^2\) and 13 July 2005 \(^3\). The opinion of the Committee of the Regions was delivered on 24 February 2005 \(^4\).

3. The European Parliament delivered its opinion at first reading on 17 November 2005, adopting 430 amendments to the Commission proposal \(^5\).

\(^1\) 15409/03.
\(^3\) OJ C 294, 25.11.2005, p. 38.
\(^4\) JO C 164, 15.7.2005, p. 78.
\(^5\) 14228/05.
On 27 June 2006 the Council adopted its common position, which was forwarded to the European Parliament together with the statement of the Council's reasons.

In accordance with the joint declaration on practical arrangements for the codecision procedure, informal talks were held between the Council, the European Parliament and the Commission with a view to reaching agreement at second reading.

At its part-session on 13 December 2006, the Parliament passed a consolidated text including amendments to the common position at second reading. The amendments reflect the compromise agreement reached between the three institutions and should therefore be acceptable to the Council.

The Permanent Representatives Committee is accordingly invited to confirm its agreement to all the amendments, and to suggest that the Council:

- approve the European Parliament's amendments in 15315/06 as set out following legal/linguistic finalisation in bold italics in PE-CONS 3664/06, as an "A" item at a forthcoming meeting;
- decide to enter the statements in the Addendum hereto in the minutes of that meeting.

Following the Council's approval of all the European Parliament's amendments, the Directive will be deemed to have been adopted in the form of the common position thus amended, in accordance with Article 251(3) of the EC Treaty.

Once the legislative act has been signed by the President of the European Parliament, the President of the Council and the Secretaries-General of the two institutions, it will be published in the Official Journal of the European Union.

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1 7524/8/06 REV 8.
3 15315/06 (Information note on the European Parliament's vote, made available after the vote).