



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 7 October 2013
(OR. en)**

**14057/13
ADD 2 REV 1**

**Interinstitutional File:
2011/0242 (COD)**

**CODEC 2124
SCHENGEN 33
SCH-EVAL 114
FRONT 132
COMIX 517**

"I/A" ITEM NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

Subject: Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 562/2006 in order to provide for common rules on the temporary reintroduction of border control at internal borders in exceptional circumstances (**first reading**)

- Adoption of the legislative act (**LA + S**)
- = Statements

STATEMENT BY THE COMMISSION ON ARTICLE 33A - COMMITTEE PROCEDURE

"The Commission underlines that it is contrary to the letter and to the spirit of Regulation 182/2011 (OJ L 55 of 28.2.2011, p. 13) to invoke Article 5 § 4, subparagraph 2, point b) in a systematic manner. Recourse to this provision must respond to a specific need to depart from the rule of principle which is that the Commission may adopt a draft implementing act when no opinion is delivered. Given that it is an exception to the general rule established by Article 5 § 4 recourse to subparagraph 2, point b) cannot be simply seen as a "discretionary power" of the Legislator, but must be interpreted in a restrictive manner and thus must be justified."

Statement by the Republic of Croatia

Croatia supports the adoption of the Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 562/2006 in order to provide for common rules on the temporary reintroduction of border control at internal borders in exceptional circumstances.

Recognizing the importance of the adoption and entry into force of the Regulation as envisaged, as well as the quality of the EU legislation, Croatia is of the opinion that the Croatian version of the text does not comply with the standard terminology used in Republic of Croatia, and therefore Croatia would like to enter a linguistic reservation.

In order to avoid the risk of inadequate application of the Union legislation, Croatia expects from the General Secretariat of the Council to implement, as soon as possible, the procedure to rectify the Croatian version of the Regulation.