



**COUNCIL OF
THE EUROPEAN UNION**

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"I/A" ITEM NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

Subject: Proposal for a Directive of the European Parliament and of the Council on recreational craft and personal watercraft and repealing Council Directive 94/25/EC (**first reading**)

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

Statement by the Commission on the Competence of the Committee

The Commission regrets the adoption of the Article 50(5) and (6) that has the potential to create confusion and legal uncertainty. The role of the Committees which ensure control by Member States on the Commission's exercise of implementing powers is defined only by Regulation No (EU) 182/2011, adopted on the basis of Article 291, third paragraph, TFEU. Therefore, no other secondary legislative act can alter or would need to specify further this role. In particular, the rules of procedures of committees are adopted by the committees on the basis of Regulation No (EU) 182/2011. As such they are to be applied when the Committee exercise its role defined by Regulation No (EU) 182/2011. Any reference to rules of procedures outside this context is superfluous and inappropriate. It also risks complicating the functioning of the committee.

Statement by the German delegation

The Federal Republic of Germany agrees with the results of the trilogue negotiations on the proposal for a directive of the European Parliament and of the Council on recreational craft and personal watercraft, but points out that the compromise contains insufficient requirements for exhaust and noise emissions. The Federal Republic of Germany regrets, that the proposals it made in this regard were not given adequate consideration.
