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CODIF 61

OUTCOME OF PROCEEDINGS

From: Working Party on Codification of Legislation
On: 6 October 2014
To: Delegations
Subject: Outcome of proceedings of the Working Party on Codification of Legislation

Since this was the first meeting of the Working Party on Codification of Legislation after several years in which there were no Commission proposals for the codification of acts covered by the Interinstitutional Agreement of 20 December 1994, the first part of the meeting was devoted to information on the working methods of the Working Party. These are summarized in the Practical Guide on Codification drawn up by the Council's Legal Service, the final version of which is now available (document 14722/14 JUR 764 CODIF 55 of 24 October 2014).

The second part of the meeting dealt with the proposals listed on the agenda (CM 4282/14). The basis for the discussion was a room document summarizing the comments made by delegations before the meeting and the Commission's replies. Upon request of several delegations, it was agreed to provide three additional weeks for examining the proposals and sending further comments.

This outcome takes also into account the delegations comments and Commission's replies sent within the additional time-limit. It records only any horizontal changes affecting all language versions. Comments relating to only one language version will be dealt with by the lawyer-linguists when the texts are finalized. Subsequently, the texts will be submitted for approval and adoption to Coreper and Council as I/A-items.

1. Proposal for a Regulation of the European Parliament and of the Council on the safeguard measures provided for in the Agreement between the European Economic Community and the Kingdom of Norway (codification)

Master copy: EN - doc. 11619/14 + ADD1 CODIF 10 CODEC 1573 ECO 76 INST 318 MI 524 PARLNAT 195 - COM(2014) 304 final 2014/0159 (COD)

The opinion of the Consultative Working Party (doc. ST 13685/14) confirms that the proposal is a straightforward codification of existing texts, without any change in their substance.

The text was agreed as proposed by the Commission.

2. Proposal for a Regulation of the European Parliament and of the Council on measures that the Union may take in relation to the combined effect of anti-dumping or anti-subsidy measures with safeguard measures (codification)

Master copy: EN - doc. 11636/14 + ADD1 CODIF 14 CODEC 1580 ECO 81 INST 322 MI 530 PARLNAT 199 - COM(2014) 318 final 2014/0164 (COD)

The opinion of the Consultative Working Party (doc. ST 13686/14) confirms that the proposal is a straightforward codification of existing texts, without any change in their substance.

The text was agreed as proposed by the Commission.

3. Proposal for a Regulation of the European Parliament and of the Council on common rules for exports (codification)

Master copy: EN - doc. 11669/14 + ADD1 CODIF 17 CODEC 1587 ECO 85 INST 325 MI 537 PARLNAT 202 - COM(2014) 322 final 2014/0167 (COD)

The opinion of the Consultative Working Party (ST 13687/14) confirms that the proposal is a straightforward codification of existing texts, without any change in their substance.

The text was agreed as proposed by the Commission.

4. Proposal for a Regulation of the European Parliament and of the Council on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part (codification)

Master copy: EN doc. 11720/14 +ADD1 CODIF 20 CODEC 1597 ECO 89 INST 328 MI 542 PARLNAT 205 - COM(2014) 374 final 2014/0190 (COD)

The opinion of the Consultative Working Party (doc. ST 13689/14) confirms that the proposal is a straightforward codification of existing texts, without any change in their substance.

The text was agreed as proposed by the Commission.

5. Proposal for a Regulation of the European Parliament and of the Council on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part (codification)

Master copy: EN doc. 11721/14 /14 +ADD1 CODIF 21 CODEC 1598 ECO 90 INST 329 MI 543 PARLNAT 206 - COM(2014) 375 final 2014/0191 (COD)

The opinion of the Consultative Working Party (doc. ST 13691/14) confirms that the proposal is a straightforward codification of existing texts, without any change in their substance.

The Working Party on Codification of Legislation agreed that Article 9(1) should read as follows:

instead of:

"1. For the purpose of Articles 2, 4 and 11...",

read as follows:

"1. For the purpose of Articles 2, 4 and 12..."

For the rest, the text was agreed as proposed by the Commission.

6. Proposal for a Regulation of the European Parliament and of the Council on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, and for applying the Interim Agreement on trade and trade-related matters between the European Community, of the one part, and Bosnia and Herzegovina, of the other part (codification)

Master copy EN: doc. 11726/14 +ADD1 CODIF 24 CODEC 1601 ECO 93 INST 332 MI 546 PARLNAT 209 - COM(2014) 443 final 2014/0206 (COD)

The opinion of the Consultative Working Party (doc. ST 13692/14) confirms that the proposal is a straightforward codification of existing texts, without any change in their substance.

The text was agreed as proposed by the Commission.

7. Proposal for a Regulation of the European Parliament and of the Council on the safeguard measures provided for in the Agreement between the European Economic Community and the Swiss Confederation (codification)

Master copy EN: doc. 11630/14 +ADD1 CODIF 11 CODEC 1576 ECO 78 INST 319 MI 527 PARLNAT 196 - COM(2014) 305 final 2014/0158 (COD)

The opinion of the Consultative Working Party (doc. ST 13720/14) confirms that the proposal is a straightforward codification of existing texts, without any change in their substance.

The text was agreed as proposed by the Commission.

8. Amended proposal for a Regulation of the European Parliament and of the Council on the safeguard measures provided for in the Agreement between the European Economic Community and the Republic of Iceland (codification)

Master copy EN: doc. 11631/14 +ADD1 CODIF 12 CODEC 1577 ECO 79 INST 320 MI 528 PARLNAT 197 - COM(2014) 308 final 2014/0160 (COD)

The opinion of the Consultative Working Party (doc. ST 13721/14) confirms that the proposal is a straightforward codification of existing texts, without any change in their substance.

The text was agreed as proposed by the Commission.

9. Proposal for a Regulation of the European Parliament and of the Council on the measures that the Union may take following a report adopted by the WTO Dispute Settlement Body concerning anti-dumping and anti-subsidy matters (codification)

Master copy: EN doc. 11634/14 + ADD1 CODIF 13 CODEC 1579 ECO 80 INST 321 MI 529 PARLNAT 198 - COM(2014) 317 final 2014/0163 (COD)

The opinion of the Consultative Working Party (doc. ST 13722/14) confirms that the proposal is a straightforward codification of existing texts, without any change in their substance.

The text was agreed as proposed by the Commission.

10. Proposal for a Regulation of the European Parliament and of the Council to avoid trade diversion into the European Union of certain key medicines (codification)

Master copy: EN doc. 11641/14 + ADD1 CODIF 15 CODEC 1582 ECO 82 INST 323 MI 532 PARLNAT 200 - COM(2014) 319 final 2014/0165 (COD)

The opinion of the Consultative Working Party (doc. ST 13723/14) confirms that the proposal is a straightforward codification of existing texts, without any change in their substance.

The text was agreed as proposed by the Commission.

11. Proposal for a Regulation of the European Parliament and of the Council on common rules for imports (codification)

Master copy: EN doc. 11668/14 +ADD1 CODIF 16 CODEC 1586 ECO 84 INST 324 MI 536 PARLNAT 201 - COM(2014) 321 final 2014/0166 (COD)

The opinion of the Consultative Working Party (doc. ST 13724/14) confirms that the proposal is a straightforward codification of existing texts, without any change in their substance. That opinion contains one specific point concerning a reference in the codification proposal, namely: "[I]n Article 7(4) of the draft codified text a reference to *"Article 235 et seq. of Council Regulation (EEC) No 2913/92"*, such as that currently appearing in Article 8(4) of Regulation (EC) No 260/2009, should be re-introduced in the place of the reference made to *"Article 79 et seq. of Regulation (EC) No 450/2008 of the European Parliament and of the Council"* in the codification proposal." The Working Party agreed with that point.

For the rest, the text was agreed as proposed by the Commission.

12. Proposal for a Regulation of the European Parliament and of the Council on additional customs duties on imports of certain products originating in the United States of America (codification)

Master copy: EN doc. 11676/14 +ADD1 CODIF 19 CODEC 1590 ECO 87 INST 327 MI 539 PARLNAT 204 - COM(2014) 343 final 2014/0175 (COD)

The opinion of the Consultative Working Party (doc. ST 13735/14) confirms that the proposal is a straightforward codification of existing texts, without any change in their substance.

The text was agreed as proposed by the Commission.

13. Proposal for a Regulation of the European Parliament and of the Council on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part (codification)

Master copy: EN doc. 11725/14 + ADD1 CODIF 23 CODEC 1600 ECO 92 INST 331 MI 545 PARLNAT 208 - COM(2014) 394 final 2014/0199 (COD)

The opinion of the Consultative Working Party (doc. ST 13728/14) confirms that the proposal is a straightforward codification of existing texts, without any change in their substance. That opinion contains one specific point concerning a reference in the codification proposal, namely: "[I]n the first paragraph of Article 7 of the draft codified text the words *"as provided for in Articles 38 and 39 of the SAA"* should be adapted so as to read *"as provided for in Articles 37 and 38 of the SAA"*. The Working Party agreed with that point.

For the rest, the text was agreed as proposed by the Commission.

14. Amended proposal for a Directive of the European Parliament and of the Council laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (codification)

Master copy: FR doc. 5975/14 +ADD1 + CODIF 2 CODEC 273 ECO 17 INST 75 MI 111 PARLNAT 35 - COM(2013) 932 final - 2010/0095 (COD)

The opinion of the Consultative Working Party (doc. ST 13697/14) confirms that the proposal is a straightforward codification of existing texts, without any change in their substance.

The following horizontal change was agreed:

In Article 5(1), fourth subparagraph of the proposed codification (COM(2013) 932 final), the addition of [“Without prejudice to the provisions of Title VIII of Regulation (EC) No 1907/2006 of the European Parliament and of the Council”] should be deleted.

For the rest, the text was agreed as proposed by the Commission.