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Subject:	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL relating to a reduction in the sulphur content of certain liquid fuels (Codification) - Opinion of the Consultative Working Party of Legal Services

Delegations will find attached the opinion of the Consultative Working Party of Legal Services regarding the above mentioned subject.



Brussels,

12 NOV. 2014

OPINION

**FOR THE ATTENTION OF THE EUROPEAN PARLIAMENT
THE COUNCIL
THE COMMISSION**

Proposal for a Directive of the European Parliament and of the Council relating to a reduction in the sulphur content of certain liquid fuels (codification)

COM(2014) 466 final of 15.7.2014 - 2014/0216 (COD)

Having regard to the Inter-institutional Agreement of 20 December 1994 on an accelerated working method for official codification of legislative texts, and in particular to point 4 thereof, the Consultative Working Party consisting of the respective legal services of the European Parliament, the Council and the Commission met on 25 September and 14 October 2014 for the purpose of examining, among others, the aforementioned proposal submitted by the Commission.

At those meetings¹, an examination of the proposal for a Directive of the European Parliament and of the Council codifying Council Directive 1999/32/EC of 26 April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC resulted in the Consultative Working Party's establishing, by common accord, as follows.

1) In the preamble to the codified version of the directive, the text of the recital having been numbered 30 should be inserted between the recitals having been numbered 39 and 40. As a consequence thereof, the recitals having been numbered 31 to 39 should be renumbered 30 to 38, and the recital having been numbered 30 should be renumbered 39.

2) In Article 2(g), the existing wording of Article 2(3d) of Directive 1999/32/EC should be reinstated in a slightly adapted form so as to read as follows: "*Annex VI to MARPOL means*

¹ The Consultative Working Party worked on the basis of the English language version of the proposal, being the master-copy language version of the text under discussion.

the annex, entitled 'Regulations for the Prevention of Air Pollution from Ships', that the Protocol of 1997 added to MARPOL".

3) In Article 6(1), second subparagraph, the reference made to "*paragraphs 2 and 4 of this Article*" should be adapted so as to read as a reference to "*paragraphs 2 and 5 of this Article*".

4) The wording of Article 20 should be replaced by the following wording: "*This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union*".

In consequence, examination of the proposal has enabled the Consultative Working Party to conclude, without dissent, that the proposal is a straightforward codification of existing texts, without any change in their substance.


F. DREXLER
Jurisconsult


H. LEGAL
Jurisconsult


L. ROMERO REQUENA
Director General