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NOTE

From:	General Secretariat of the Council
To:	Working Party on Codification of Legislation
No. prev. doc.:	14906/14 - COM (2014) 660 final
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on protection against subsidised imports from countries not members of the European Union (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.



GROUPE CONSULTATIF
DES SERVICES JURIDIQUES

Brussels, 13 JAN. 2015

OPINION

FOR THE ATTENTION OF THE EUROPEAN PARLIAMENT
THE COUNCIL
THE COMMISSION

Proposal for a Regulation of the European Parliament and of the Council on protection against subsidised imports from countries not members of the European Union COM(2014) 660 final of 27.10.2014 - 2014/0305 (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 13 November 2014 for the purpose of examining, among others, the aforementioned proposal submitted by the Commission.

At that meeting¹, an examination of the proposal for a Council Regulation codifying Council Regulation (EC) No 597/2009 of 11 June 2009 on protection against subsidised imports from countries not members of the European Community resulted in the Consultative Working Party's establishing, by common accord, that a corrigendum should be published with regard to the second subparagraph of Article 9(2) of Regulation (EC) No 597/2009. In the existing wording of that subparagraph, the word '*producer*' should be deleted. As a consequence of that necessary correction, the wording of the subparagraph referred to would read as follows: '*For the purpose of this paragraph, one shall be deemed to control another when the former is legally or operationally in a position to exercise restraint or direction over the latter*'.

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
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Director General

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.