



**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 Regulation of the European Parliament and of the Council amending certain regulations relating to the common commercial policy as regards the granting of delegated and implementing powers for the adoption of certain measures (first reading)

- Statements:
 - *agreement to enter the statements into the minutes of the Council*
 - *decision to publish the statements in the Official Journal*

**Joint statement by the European Parliament, the Council and the Commission
on Regulation (EEC) No 3030/93 and Regulation (EC) No 517/94**

It is noted that the procedures provided for in Article 2(6), Article 6(2), Articles 8 and 10, Article 13(3), Article 15(3), (4) and (5) and Article 19 of Regulation (EEC) No 3030/93, Article 4(3) of Annex IV to Regulation (EEC) No 3030/93, and Article 2, Article 3(1) and (3) of Annex VII to Regulation (EEC) No 3030/93, and Article 3(3), Article 5(2), Article 12(3) and Articles 13 and 28 of Regulation (EC) No 517/94, are converted into procedures for the adoption of delegated acts. It is noted that some of those Articles refer to decision-making procedures for the adoption of safeguard measures in the field of trade defence.

The European Parliament, the Council and the Commission consider that safeguard measures are to be treated as implementing measures. Exceptionally, in the specific existing Regulations referred to above, the measures take the form of delegated acts as the introduction of a safeguard measure takes the form of an amendment to the relevant annexes to the Basic Regulations. This derives from the particular structure which is specific to the existing Regulations referred to above and, as a consequence, will not be used as a precedent for the drafting of future trade defence instruments and other safeguard measures.

Commission statement on codification

The adoption of Regulation (EU) No. .../2013 of the European Parliament and of the Council of ... amending certain regulations relating to the common commercial policy as regards the procedures for the adoption of certain measures and Regulation (EU) No .../2013 of the European Parliament and of the Council of ... amending certain regulations relating to the common commercial policy as regards the granting of delegated and implementing powers for the adoption of certain measures will entail a substantial number of amendments to the acts in question. In order to improve the legibility of the acts concerned, the Commission will propose a codification of the acts as expeditiously as possible once those two Regulations are adopted, and at the latest by 1 June 2014.

Commission statement on delegated acts

In the context of Regulation (EU) No .../2013 of the European Parliament and of the Council of ... amending certain regulations relating to the common commercial policy as regards the procedures for the adoption of certain measures and Regulation (EU) No .../2013 of the European Parliament and of the Council of ... amending certain regulations relating to the common commercial policy as regards the granting of delegated and implementing powers for the adoption of certain measures, the Commission recalls the commitment it has made in paragraph 15 of the Framework Agreement on relations between the European Parliament and the European Commission to provide to the Parliament full information and documentation on its meetings with national experts within the framework of its work on the preparation of delegated acts.
