

**Substances that deplete the ozone layer (recast) \*\*\*I**

**European Parliament legislative resolution of 25 March 2009 on the proposal for a regulation of the European Parliament and of the Council on substances that deplete the ozone layer (recast) (COM(2008)0505 – C6-0297/2008 – 2008/0165(COD))**

**(Codecision procedure – recast)**

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2008)0505),
  - having regard to Article 251(2) and Articles 133 and 175(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0297/2008 ),
  - having regard to the Interinstitutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts<sup>1</sup>,
  - having regard to the letter of 17 December 2008 from the Committee on Legal Affairs to the Committee on the Environment, Public Health and Food Safety in accordance with Rule 80a(3) of its Rules of Procedure,
  - having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis,
  - having regard to Rules 80a, 51 and 35 of its Rules of Procedure,
  - having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinion of the Committee on Legal Affairs (A6-0045/2009),
- A. whereas, according to the Consultative Working Party of the Legal Services of the European Parliament, the Council and the Commission, the proposal in question does not include any substantive amendments other than those identified as such in the proposal and whereas, as regards the codification of the unchanged provisions of the earlier acts together with those amendments, the proposal contains a straightforward codification of the existing texts, without any change in their substance,
1. Approves the Commission proposal as adapted to the recommendations of the Consultative Working Party of the Legal Services of the European Parliament, the Council and the Commission and as amended below;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council and Commission.

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<sup>1</sup> OJ C 77, 28.3.2002, p. 1.

**P6\_TC1-COD(2008)0165**

**Position of the European Parliament adopted at first reading on 25 March 2009 with a view to the adoption of Regulation (EC) No.../2009 of the European Parliament and of the Council on substances that deplete the ozone layer (recast)**

*(As an agreement was reached between Parliament and Council, Parliament's position at first reading corresponds to the final legislative act, Regulation (EC) No 1005/2009.)*