

EUROPEAN PARLIAMENT

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Committee on the Environment, Public Health and Food Safety

PROVISIONAL
2006/0303(COD)

19.4.2007

*****I**

DRAFT REPORT

on the proposal for a directive of the European Parliament and of the Council amending Directive 2002/95/EC on the restriction of the use of certain hazardous substances in electrical and electronic equipment, as regards the implementing powers conferred to the Commission (COM(2006)0915 – C6-0021/2007 – 2006/0303(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Karl-Heinz Florenz

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission.)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a directive of the European Parliament and of the Council amending Directive 2002/95/EC on the restriction of the use of certain hazardous substances in electrical and electronic equipment, as regards the implementing powers conferred to the Commission

(COM(2006)0915 – C6-0021/2007 – 2006/0303(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2006)0915)¹,
 - having regard to Article 251(2) and Article 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0021/2007),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A6-0000/2007),
1. Approves the Commission proposal as amended;
 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.

Text proposed by the Commission

Amendments by Parliament

Amendment 1 ARTICLE 1, POINT (1) (B)

Article 5, paragraph 1, subparagraph 2 (Directive 2002/95/EC)

The measures referred to in *the first subparagraph*, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 7(2).

The measures referred to in *points (a) to (c)*, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 7(2).

¹ OJ C ... / Not yet published in OJ.

Justification

This amendment aims at clarifying the scope of the regulatory procedure with scrutiny in Article 5(1).

EXPLANATORY STATEMENT

The adjustment of the Directive on the restriction of the use of certain hazardous substances in electrical and electronic equipment to the revised Comitology Decision 1999/468/EEC shall take fully into account the newly introduced regulatory procedure with scrutiny. The references to this procedure should be clear and include the standard time limits.