



12.7.2010

NOTICE TO MEMBERS

(0006/2010)

Subject: Proposal for a regulation of the European Parliament and of the Council on waste statistics (codified version)
(COM(2009)535 – C7-0239/2009 – 2009/0151(COD))

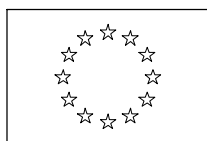
The Interinstitutional agreement of 20 December 1994 on an accelerated working method for official codification of legislative texts¹ requires a consultative working party of the legal services of the European Parliament, the Council and the Commission to consider any Commission proposal for codification.

Please find attached the Consultative Working Party's opinion on the above proposal.

The Committee on Legal Affairs intends to state its views on the opinion at its meeting on 2 september 2010.

Annex

¹ OJ C 102, 4.4.1996, p. 2.



CONSULTATIVE WORKING PARTY
OF THE LEGAL SERVICES

Brussels, 21 June 2010

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 waste statistics
COM(2009)535 of 14.10.2009 – 2009/0151(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 22 October 2009 for the purpose of examining, among others, the aforementioned proposal submitted by the Commission.

At that meeting¹, an examination of the proposal for a regulation of the European Parliament and of the Council codifying Regulation (EC) No 2150/2002 of the European Parliament and of the Council of 25 November 2002 on waste statistics resulted in the Consultative Working Party's concluding, without dissent, that the proposal is a straightforward codification of existing texts, without any change in their substance.

Moreover, the Working Party also acknowledged that Regulation (EC) No 2150/2002 contains provisions referring to the regulatory procedure with scrutiny that need to be adjusted to Article 290 of the Treaty of Lisbon. Since the adjusting of such existing provisions would imply a substantive change, and would therefore go beyond straightforward codification, the Working Party deems it necessary that point 8² of the Interinstitutional Agreement of

¹ The Consultative Working Party had at its disposal 22 language versions of the proposal and worked on the basis of the English version, being the master-copy language version of the text under discussion.

² "Should it prove necessary during the legislative process to go beyond straightforward codification and make substantive changes, it will be the Commission's responsibility to submit any proposal(s), where appropriate".

20 December 1994 - Accelerated working method for official codification of legislative texts -
be applied, in the light of the Joint declaration on the said point¹.

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Director General

¹ *"The European Parliament, the Council and the Commission note that if it should appear necessary to go beyond straightforward codification and make substantive changes, the Commission will be able to choose, case by case, whether to recast its proposal or whether to submit a separate proposal for amendment, leaving its codification proposal on the table, and then, once the substantive change has been adopted, incorporate it into the proposal for codification".*