



2016/0218(COD)

11.11.2016

AMENDMENTS

4 - 24

Draft report

Adam Szejnfeld

(PE592.155v01-00)

on the proposal for a regulation of the European Parliament and of the Council on certain procedures for applying the Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community, of the one part, and Kosovo* of the other par

Proposal for a regulation

(COM(2016)0460 – C8-0327/2016 – 2016/0218(COD))

Amendment 4
Notis Marias

Draft legislative resolution
Citation 3 a (new)

Draft legislative resolution

Amendment

- *having regard to the Protocol (No. 1) of the Treaty on the Functioning of the European Union on the role of national Parliaments in the European Union,*

Or. el

Amendment 5
Notis Marias

Draft legislative resolution
Citation 3 b (new)

Draft legislative resolution

Amendment

- *having regard to the Protocol (No 2) of the Treaty on the application of the principles of subsidiarity and proportionality,*

Or. el

Amendment 6
Notis Marias

Proposal for a regulation
Recital 2

Text proposed by the Commission

Amendment

(2) It is necessary to lay down rules for the implementation of certain provisions of the Agreement, as well as the procedures for the adoption of detailed rules of implementation.

deleted

Amendment 7
Notis Marias

Proposal for a regulation
Recital 3

Text proposed by the Commission

Amendment

(3) *In order to ensure uniform conditions for the implementation of the Agreement, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁵. Given that the implementing acts form part of the common commercial policy, the examination procedure should be used for their adoption. Where the Agreement provides for the possibility, in exceptional and critical circumstances, to apply urgent measures necessary to deal with the situation, the Commission should adopt such implementing acts immediately. For measures concerning agricultural and fishery products, the Commission, in cases of duly justified imperative grounds of urgency, should adopt such implementing acts immediately.*

deleted

⁵ *Regulation No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning the mechanisms of control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011,p. 13).*

Amendment 8
Adam Szejnfeld

Proposal for a regulation
Recital 3

Text proposed by the Commission

(3) In order to ensure uniform conditions for the implementation of the Agreement, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁵. ***Given that the implementing acts form part of the common commercial policy, the examination procedure should be used for their adoption.*** Where the Agreement provides for the possibility, in exceptional and critical circumstances, to apply ***urgent*** measures necessary to deal with the situation, the Commission should adopt such implementing acts immediately. For measures concerning agricultural and fishery products, the Commission, in cases of duly justified imperative grounds of urgency, should adopt such implementing acts immediately.

⁵ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L55, 28.2.2011, p. 13).

Amendment

(3) In order to ensure uniform conditions for the implementation of the Agreement, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁵. ***In accordance with that Regulation, the examination procedure applies, in particular, for the adoption of implementing acts relating to the common commercial policy. However, the advisory procedure may apply in duly justified cases.*** Where the Agreement provides for the possibility, in exceptional and critical circumstances, to apply ***forthwith*** measures necessary to deal with the situation, the Commission should adopt such implementing acts immediately. For measures concerning agricultural and fishery products, the Commission, in cases of duly justified imperative grounds of urgency, should adopt such implementing acts immediately.

⁵ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L55, 28.2.2011, p. 13).

Or. en

Amendment 9
Notis Marias

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) *The Agreement stipulates that certain agricultural and fishery products originating in Kosovo may be imported into the Union at a reduced customs duty, within the limits of tariff quotas. It is therefore necessary to lay down provisions regulating the management and review of these tariff quotas in order to allow for their thorough assessment.*

Amendment

(4) It is therefore necessary to lay down provisions regulating the management of tariff quotas *for agricultural products from Kosovo.*

Or. el

Amendment 10
Eleftherios Synadinos

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) The Agreement stipulates that certain agricultural and fishery products originating in Kosovo may be imported into the Union at a reduced customs duty, within the limits of tariff quotas. It is therefore necessary to lay down provisions regulating the management and review of these tariff quotas in order to allow for their thorough assessment.

Amendment

(4) The Agreement stipulates that certain agricultural and fishery products originating in Kosovo may be imported into the Union at a reduced customs duty, within the limits of tariff quotas *without, however, allowing corresponding products in the Member States to be undermined by unfair competition.* It is therefore necessary to lay down provisions regulating the management and review of these tariff quotas in order to allow for their thorough assessment.

Or. el

Amendment 11
Notis Marias

Proposal for a regulation
Recital 7

Text proposed by the Commission

Amendment

(7) ***This Regulation contains implementing measures for the Agreement, and should thus apply from the entry into force of the Agreement.***

deleted

Or. el

Amendment 12

Notis Marias

Proposal for a regulation

Recital 8

Text proposed by the Commission

Amendment

(8) In order to ensure ***the effective application and management of the tariff quotas granted under the Agreement , as well as to ensure*** legal certainty and equal treatment with regard to the levying of duties, certain provisions of this Regulation should ***apply from the date of entry into force of the Agreement,***

(8) In order to ensure legal certainty and equal treatment with regard to the levying of duties, certain provisions of this Regulation should ***be reviewed.***

Or. el

Amendment 13

Eleftherios Synadinos

Proposal for a regulation

Recital 8

Text proposed by the Commission

Amendment

(8) In order to ensure the effective application and management of the tariff quotas granted under the Agreement , as well as to ensure legal certainty and equal treatment with regard to the levying of duties, certain provisions of this Regulation should apply from the date of entry into force of the Agreement,

(8) In order to ensure the effective application and management of the tariff quotas granted under the Agreement , as well as to ensure legal certainty ***receipt of payment*** and equal treatment with regard to the levying of duties, certain provisions of this Regulation should apply from the date of entry into force of the Agreement,

Amendment 14

Notis Marias

Proposal for a regulation

Article 3 – paragraph 1

Text proposed by the Commission

Amendment

1. Subject to paragraph 2, rates of preferential duty shall be rounded down to the first decimal place. **deleted**

Or. el

Amendment 15

Notis Marias

Proposal for a regulation

Article 3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Tariff reductions cannot be granted until the status of Kosovo has been settled.

Or. el

Amendment 16

Notis Marias

Proposal for a regulation

Article 3 – paragraph 3 – introductory part

Text proposed by the Commission

Amendment

2. Where the result of calculating the rate of preferential duty pursuant to paragraph 1 is one of the following, the preferential rate shall be considered a full exemption: **deleted**

Amendment 17

Notis Marias

Proposal for a regulation

Article 3 – paragraph 2 – point a

Text proposed by the Commission

Amendment

a) 1 % or less in the case of ad valorem duties;

deleted

Or. el

Amendment 18

Notis Marias

Proposal for a regulation

Article 3 – paragraph 2 – point b

Text proposed by the Commission

Amendment

b) EUR 1 or less per individual amount in the case of specific duties.

deleted

Or. el

Amendment 19

Eleftherios Synadinos

Proposal for a regulation

Article 4 – paragraph 1

Text proposed by the Commission

Amendment

The Commission shall adopt amendments and technical adaptations to the provisions adopted pursuant to this Regulation which are necessary following changes to the Combined Nomenclature codes and to the Integrated Tariff of the European Communities (TARIC) subdivisions or

The Commission shall adopt amendments and technical adaptations to the provisions adopted pursuant to this Regulation which are necessary following changes to the Combined Nomenclature codes and to the Integrated Tariff of the European Communities (TARIC) subdivisions or

arising from the conclusion of new or modified agreements, protocols, exchanges of letters or other acts between the Union and Kosovo by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13(3).

arising from the conclusion of new or modified agreements, protocols, exchanges of letters or other acts between the Union and Kosovo by means of implementing acts, ***while at the same time keeping the Council and Parliament informed.*** Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13(3).

Or. el

Amendment 20 **Eleftherios Synadinos**

Proposal for a regulation **Article 8 – paragraph 1 – subparagraph 1**

Text proposed by the Commission

Notwithstanding the procedures provided for in Articles 5 and 6 of this Regulation, where the Union needs to take a measure as provided for in Article 34(2) or Article 43 of the SAA, concerning agricultural and fishery products, the Commission shall, at the request of a Member State or on its own initiative, decide upon the necessary measures after, where applicable, having had recourse to the referral procedure provided for in Article 41 of the SAA. Those measures shall be adopted by the Commission by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13(3) of this Regulation.

Amendment

Notwithstanding the procedures provided for in Articles 5 and 6 of this Regulation, where the Union needs to take a measure as provided for in Article 34(2) or Article 43 of the SAA, concerning agricultural and fishery products, the Commission shall, at the request of a Member State or on its own initiative, decide upon the necessary measures after, where applicable, having had recourse to the referral procedure provided for in Article 41 of the SAA. Those measures shall be adopted by the Commission by means of implementing acts ***while at the same time the Council and Parliament shall be kept informed.*** Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13(3) of this Regulation.

Or. el

Amendment 21 **Eleftherios Synadinos**

Proposal for a regulation
Article 8 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The Commission shall notify the Council of the measures upon which it has decided.

Amendment

The Commission shall notify the Council **and Parliament** of the measures upon which it has decided.

Or. el

Amendment 22
Notis Marias

Proposal for a regulation
Article 15 – paragraph 1

Text proposed by the Commission

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

Amendment

deleted

Or. el

Amendment 23
Notis Marias

Proposal for a regulation
Article 15 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The entry into force of this Regulation shall be postponed at least until the status of Kosovo has been settled.

Or. el

Amendment 24
Notis Marias

Proposal for a regulation
Article 15 – paragraph 2

Text proposed by the Commission

Amendment

It shall apply from 1 April 2016.

deleted

Or. el