



2018/0205(COD)

27.9.2018

OPINION

of the Committee on Legal Affairs

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a regulation of the European Parliament and of the Council on the alignment of reporting obligations in the field of environment policy and thereby amending Directives 86/278/EEC, 2002/49/EC, 2004/35/EC, 2007/2/EC, 2009/147/EC and 2010/63/EU, Regulations (EC) No 166/2006 and (EU) No 995/2010, and Council Regulations (EC) No 338/97 and (EC) No 2173/2005
(COM(2018)0381 – C8-0244/2018 – 2018/0205(COD))

Rapporteur for opinion: Heidi Hautala

PA_Legam

AMENDMENTS

The Committee on Legal Affairs calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) This Regulation seeks to modernise information management and ensure a more consistent approach to the legislative acts within its scope by – according to the circumstances – simplifying reporting so as to reduce the administrative burden, enhancing the database for future evaluations, or increasing transparency for the benefit of the public.

Amendment 2

Proposal for a regulation Recital 3

Text proposed by the Commission

Amendment

(3) Data reported by Member States *are* essential for the Commission to monitor, review and assess the performance of the legislation against the objectives it pursues in order to inform any future evaluation of the legislation, in accordance with paragraph 22 of the Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016⁴⁹. It is appropriate to add provisions to several legislative acts in the environmental sector for the purpose of their future evaluation, on the basis of data collected during implementation, possibly

(3) The process of Member States' comprehensive and timely reporting of relevant data is essential for the Commission to monitor, review and assess the performance of the legislation against the objectives it pursues in order to inform any future evaluation of the legislation, in accordance with paragraph 22 of the Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016⁴⁹. It is appropriate to add provisions to several legislative acts in the environmental sector for the purpose of their future evaluation, on the basis of data

complemented by additional scientific, analytical data. In that context, there is a need for relevant data that will allow better assessment of the efficiency, effectiveness, relevance, coherence and EU value added of Union legislation, hence the necessity to ensure appropriate reporting mechanisms that can also serve as indicators for this purpose.

⁴⁹ OJ L 123, 12.5.2016, p. 1.

collected during implementation, possibly complemented by additional scientific, analytical data. In that context, there is a need for relevant data that will allow better assessment of the efficiency, effectiveness, relevance, coherence and EU value added of Union legislation, hence the necessity to ensure appropriate reporting mechanisms that can also serve as indicators for this purpose.

⁴⁹ OJ L 123, 12.5.2016, p. 1.

Amendment 3

Proposal for a regulation Recital 7

Text proposed by the Commission

(7) Based on the Commission report to the Council and the European Parliament concerning the implementation of Directive 2007/2/EC and the REFIT evaluation⁵², it is appropriate, with a view to simplifying the implementation of that Directive and reducing administrative burden related to monitoring by Member States, to no longer require Member States to send to the Commission triennial reports, and the Commission to present to the European Parliament and to the Council a summary report, because the reporting Fitness Check confirmed the limited use of such reports.⁵³

⁵² COM(2016) 478 and SWD(2016) 273.

⁵³ COM(2017) 312.

Amendment

(7) Based on the Commission report to the Council and the European Parliament concerning the implementation of Directive 2007/2/EC and the REFIT evaluation⁵², it is appropriate, with a view to simplifying the implementation of that Directive and reducing administrative burden related to monitoring by Member States, to no longer require Member States to send to the Commission triennial reports, and the Commission to present to the European Parliament and to the Council a summary report, because the reporting Fitness Check confirmed the limited use of such reports.⁵³

Nevertheless, the Commission should continue to carry out, at regular intervals, an evaluation of that Directive and make it publicly available.

⁵² COM(2016) 478 and SWD(2016) 273.

⁵³ COM(2017) 312.

Justification

The current text of Directive 2007/2/EC requests the Commission to present a report to the

European Parliament and the Council. Therefore, at least a regular evaluation, publicly available, is needed.

Amendment 4

Proposal for a regulation

Article 1 – paragraph 1 – point 1

Directive 86/278/EEC

Article 10 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The records referred to in paragraph 1 shall be made available to the public for each calendar year, within three months of the end of the relevant calendar year, in a consolidated format as laid down in the Annex to Commission Decision 94/741/EC** or another format provided pursuant to Article 17.

Amendment

The records referred to in paragraph 1 shall be made available ***and easy accessible*** to the public for each calendar year, within three months of the end of the relevant calendar year, in a consolidated format as laid down in the Annex to Commission Decision 94/741/EC** or another format provided pursuant to Article 17.

Amendment 5

Proposal for a regulation

Article 1 – paragraph 1 – point 1

Directive 86/278/EEC

Article 10 – paragraph 3

Text proposed by the Commission

3. Information on the methods of treatment and the results of the analyses shall be released ***upon request*** to the competent authorities.

Amendment

3. Information on the methods of treatment and the results of the analyses shall be released to the competent authorities.

Amendment 6

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Directive 86/278/EEC

Article 17 – paragraph 1

Text proposed by the Commission

The Commission is empowered to lay down, by means of an implementing act, a

Amendment

The Commission is empowered to lay down, by means of an implementing act, a

format in accordance with which Member States are to provide information on the implementation of Directive 86/278/EEC as required by Article 10 of this Directive. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 15(2). The Commission services shall publish a Union-wide overview including maps on the basis of the data made available by the Member States pursuant to Articles 10 and 17.

format in accordance with which Member States are to provide information ***in due time*** on the implementation of Directive 86/278/EEC as required by Article 10 of this Directive. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 15(2). The Commission services shall publish a Union-wide overview including maps on the basis of the data made available by the Member States pursuant to Articles 10 and 17.

Amendment 7

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Directive 86/278/EEC

Article 17 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The Commission shall, no later than 1 January 2021 and at least every three years thereafter, carry out an evaluation of this Directive and its implementation. The Commission shall report to the European Parliament and to the Council on the results of this evaluation and accompany such reports, if necessary, by appropriate legislative proposals.

Amendment 8

Proposal for a regulation

Article 2 – paragraph 1 – point 3

Directive 2002/49/EC

Article 9 – paragraph 1

Text proposed by the Commission

Amendment

Member States shall ensure that the strategic noise maps they have made, and where appropriate adopted, and the action plans they have drawn up are made available and disseminated to the public in accordance with relevant EU legislation, in

Member States shall ensure that the strategic noise maps they have made, and where appropriate adopted, and the action plans they have drawn up are made ***without delay*** available and disseminated to the public in accordance with relevant EU

particular Directive 2003/4/EC of the European Parliament and of the Council* and Directive 2007/2/EC of the European Parliament and of the Council **, and in conformity with Annexes IV and V to Directive 2002/49/EC, including by means of available information technologies.

legislation, in particular Directive 2003/4/EC of the European Parliament and of the Council* and Directive 2007/2/EC of the European Parliament and of the Council **, and in conformity with Annexes IV and V to Directive 2002/49/EC, including by means of available information technologies.

Amendment 9

Proposal for a regulation

Article 2 – paragraph 1 – point 4

Directive 2002/49/EC

Article 10 – paragraph 2

Text proposed by the Commission

2. The Member States shall ensure that the information from strategic noise maps and summaries of the action plans as referred to in Annex VI are sent to the Commission within six months of the dates laid down in Articles 7 and 8 respectively. For that purpose, Member States shall only report the information electronically to the data repository *to be established in accordance with the regulatory procedure with scrutiny referred to in Article 13(3)*. In case a Member State wants to update information, it shall describe the differences between the updated and original information and the reasons for the update when making the updated information available to the data repository.

Amendment 10

Proposal for a regulation

Article 2 – paragraph 1 – point 4 a (new)

Directive 2002/49/EC

Article 10 a (new)

Amendment

2. The Member States shall ensure that the information from strategic noise maps and summaries of the action plans as referred to in Annex VI are sent to the Commission within six months of the dates laid down in Articles 7 and 8 respectively. For that purpose, Member States shall only report the information electronically to the data repository. In case a Member State wants to update information, it shall describe the differences between the updated and original information and the reasons for the update when making the updated information available to the data repository. *The Commission shall adopt delegated acts in accordance with Article 10a to supplement this Directive concerning the setting up of the data repository.*

4 a. The following Article is added:

Article 10a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 10(2) shall be conferred on the Commission for a period of five years from... [OJ: date of entry into force of Regulation (EU) 2018/... of the European Parliament and of the Council*+]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in Article 10(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the

Council.

6. A delegated act adopted pursuant to Article 10(2) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

** Regulation (EU) 2018/... of the European Parliament and of the Council of ... on [the alignment of reporting obligations in the field of environment policy ...], (OJ L ..., p. ...).*

+ OJ: Please insert in the text the number, of the Regulation contained in document 2018/0205(COD) and insert the number, name, date and OJ reference of that Regulation in the footnote.

Amendment 11

Proposal for a regulation

Article 2 – paragraph 1 – point 5

Directive 2002/49/EC

Annex VI – point 3

Text proposed by the Commission

"The Commission, assisted by the European Environment Agency, shall develop a mandatory digital information exchange mechanism to share the information from the strategic noise maps and summaries of action plans, as referred to in Article 10 (2) in accordance with the **regulatory** procedure **with scrutiny** referred to in Article 13(3).

Amendment

The Commission, assisted by the European Environment Agency, shall **adopt delegated acts in accordance with Article 10a to supplement this Directive concerning the development of** a mandatory digital information exchange mechanism to share the information from the strategic noise maps and summaries of action plans, as referred to in Article 10 (2).

Amendment 12

Proposal for a regulation

Article 3 – paragraph 1 – point 1

Directive 2004/35/EC

Article 14 – paragraph 2

Text proposed by the Commission

1. Article 14(2) is **deleted**;

Amendment

1. Article 14(2) is **amended as follows**:

The Commission, before 1 January 2021, shall present a report on the effectiveness of the Directive in terms of actual remediation of environmental damages, on the availability at reasonable costs and on conditions of insurance and other types of financial security for the activities covered by Annex III. The report shall also consider in relation to financial security the following aspects: a gradual approach, a ceiling for the financial guarantee and the exclusion of low-risk activities. In the light of that report, and of an extended impact assessment, including a cost-benefit analysis, the Commission shall, if appropriate, submit proposals for a system of harmonised mandatory financial security.

Justification

New obligations in relation to evaluation of the remediation of environmental damages and financial security should be updated.

Amendment 13

Proposal for a regulation

Article 3 – paragraph 1 – point 2

Directive 2004/35/EC

Article 18 – paragraph 1

Text proposed by the Commission

Member States shall ensure that adequate and up-to-date information, ***at least*** on imminent threats of damage is available to

Amendment

- 1.*** Member States shall ensure that adequate and up-to-date information, ***inter alia*** on imminent threats of damage is

the public in an open data format online, in accordance with Annex VI of this Directive and with Article 7(4) of Directive 2003/4/EC of the European Parliament and of the Council*. For each incident, the information listed in Annex VI of this Directive shall be provided as a minimum.

directly available to the public **and the Commission** in an open data format online, in accordance with Annex VI of this Directive and with Article 7(4) of Directive 2003/4/EC of the European Parliament and of the Council*. For each incident, the information listed in Annex VI of this Directive shall be provided as a minimum.

Justification

This is to make sure that the Commission has access to the data in order to fulfil its obligation under article 18(3).

Amendment 14

Proposal for a regulation

Article 3 – paragraph 1 – point 2

Directive 2004/35/EC

Article 18 – paragraph 3

Text proposed by the Commission

3. The Commission services shall publish a Union-wide overview including maps on the basis of the data made available by the Member States pursuant to paragraph 1.

Amendment

3. The Commission services shall publish a Union-wide overview including maps on the basis of the data made available by the Member States pursuant to paragraph 1 **and update it regularly, at least on an annual basis.**

Justification

An explicit reference to the obligation to regularly update the overview is needed.

Amendment 15

Proposal for a regulation

Article 3 – paragraph 1 – point 2

Directive 2004/35/EC

Article 18 – paragraph 4 – introductory part

Text proposed by the Commission

4. The Commission shall, **at regular intervals**, carry out an evaluation of this Directive. The evaluation shall be based,

Amendment

4. The Commission shall, **no later than 1 January 2021 and at least every three years thereafter**, carry out an

inter alia, on the following elements:

evaluation of this Directive. The evaluation shall be ***made publicly available and be*** based, inter alia, on the following elements:

Justification

An explicit reference to publicity of the evaluation is needed.

Amendment 16

Proposal for a regulation

Article 3 – paragraph 1 – point 2

Directive 2004/35/EC

Article 18 – paragraph 4 – point a

Text proposed by the Commission

(a) the experience gathered with the implementation of this Directive;

Amendment

(a) the experience gathered with the implementation of this Directive, ***and the assessment of developments in the Member States, in terms of actual remediation of environmental damage, in particular in relation to any incidents of environmental damage caused by genetically modified organisms (GMOs), the application of this Directive to protected species and natural habitats, the right of an operator to limit his liability in accordance with the international conventions referred to in Article 4(3), and the exclusion of pollution covered by the international instruments listed in Annexes IV and V from the scope of this Directive;***

(Part of this amendment reading “and the assessment of developments in the Member States” applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Justification

In its current form the Directive requires Member States to report any specific developments or changes that may affect the scope of the regulations in question. The Commission proposal no longer makes provision for that assessment. It should nonetheless be included – at least as a general rule – so as to ensure comprehensive and consistent reporting.

Amendment 17

Proposal for a regulation

Article 3 – paragraph 1 – point 2

Directive 2004/35/EC

Article 18 – paragraph 4 – point b a (new)

Text proposed by the Commission

Amendment

(b a) an analysis of the developments and changes within the relevant international fora and their implementation in the Member States.

Amendment 18

Proposal for a regulation

Article 3 – paragraph 1 – point 2

Directive 2004/35/EC

Article 18 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a The Commission shall report to the European Parliament and to the Council on the results of the evaluation referred to in paragraph 4 and accompany such report, if necessary, by appropriate legislative proposals.

Amendment 19

Proposal for a regulation

Article 3 – paragraph 1 – point 3

Directive 2004/35/EC

Annex VI – point 7 – point c a (new)

Text proposed by the Commission

Amendment

(ca) relevant judicial proceedings;

Amendment 20

Proposal for a regulation

Article 4 – paragraph 1 – point 2

Directive 2007/2/EC

Article 23 – paragraph 2 – introductory part

Text proposed by the Commission

The Commission shall, ***at regular intervals***, carry out an evaluation of this Directive. The evaluation shall be based, inter alia, on the following elements:

Amendment

The Commission shall, ***no later than 1 January 2021 and at least every three years thereafter***, carry out an evaluation of this Directive ***and make it publicly available***. The evaluation shall be based, inter alia, on the following elements:

Justification

The current text of Article 23 of Directive 2007/2/EC requests the Commission to present a report to the European Parliament and the Council. Therefore, an explicit reference to the publicity of the evaluation is needed.

Amendment 21

Proposal for a regulation

Article 4 – paragraph 1 – point 2

Directive 2007/2/EC

Article 23 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

The Commission shall report to the European Parliament and to the Council on the results of the evaluation referred to in paragraph 2 and accompany such report, if necessary, by appropriate legislative proposals.

Amendment 22

Proposal for a regulation

Article 5 – paragraph 1 – point 1

Directive 2009/147/EC

Article 12 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall forward to the

1. Member States shall forward to the

Commission every six years, at the same time as the report drawn up pursuant to Article 17 of Council Directive 92/43/EEC*, a report on the implementation of the measures taken under this Directive and the main impacts of these measures. ***This report*** shall include in particular information concerning the status and trends of wild bird species protected by this Directive, the threats and pressures on them, the conservation measures taken for them and the contribution of the network of Special Protection Areas to the objectives laid out in Article 2 of this Directive.";

Commission every six years, at the same time as the report drawn up pursuant to Article 17 of Council Directive 92/43/EEC*, a report on the implementation of the measures taken under this Directive and the main impacts of these measures. ***That report shall be made accessible to the public and*** shall include in particular information concerning the status and trends of wild bird species protected by this Directive, the threats and pressures on them, the conservation measures taken for them and the contribution of the network of Special Protection Areas to the objectives laid out in Article 2 of this Directive.

Amendment 23

Proposal for a regulation

Article 5 – paragraph 1 – point 1 a (new)

Directive 2009/147/EC

Article 12 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. paragraph 1 a is inserted:

The relevant terrestrial and the marine part under this Directive shall be reported at the same time.

Amendment 24

Proposal for a regulation

Article 5 – paragraph 1 – point 2

Directive 2009/147/EC

Article 12 – paragraph 2 – sentence 1

Text proposed by the Commission

Amendment

2. The Commission, assisted by the European Environment Agency, shall prepare every six years a composite report based on the information referred to in paragraph 1.

2. The Commission, assisted by the European Environment Agency, shall prepare ***and publish***, every six years, a composite report based on the information referred to in paragraph 1.

(This amendment applies throughout the

text. Adopting it will necessitate corresponding changes throughout.)

Amendment 25

Proposal for a regulation

Article 6 – paragraph 1 – point 2 – point a

Directive 2010/63/EC

Article 54 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Member States shall by 30 September 2023, and every 5 years thereafter, send the information on the implementation of this Directive and in particular Articles 10(1), 26, 28, 34, 38, 39, 43 and 46 thereof.

Amendment

Member States shall by 30 September 2023, and every 5 years thereafter, send ***without delay*** the information on the implementation of this Directive and in particular Articles 10(1), 26, 28, 34, 38, 39, 43 and 46 thereof.

Amendment 26

Proposal for a regulation

Article 6 – paragraph 1 – point 2 – point a

Directive 2010/63/EC

Article 54 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Member States shall submit and publish that data, by electronic transfer in a format established by the Commission in accordance with paragraph 4.

Amendment

Member States shall submit and publish that data ***without delay***, by electronic transfer in a format established by the Commission in accordance with paragraph 4.

Amendment 27

Proposal for a regulation

Article 6 – paragraph 1 – point 2 – point a

Directive 2010/63/EU

Article 54 – paragraph 1 – subparagraph 3

Text proposed by the Commission

The Commission services shall publish a Union overview on the basis of ***the*** data ***submitted by the Member States***.

Amendment

No later than 6 months after the submission by the Member States of the data referred to in the second

subparagraph, the Commission services shall publish a Union overview on the basis of *that* data.

Amendment 28

Proposal for a regulation

Article 6 – paragraph 1 – point 2 – point a

Directive 2010/63/EU

Article 54 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. The Commission shall, no later than 1 January 2021 and at least every three years thereafter, carry out an evaluation of this Directive and its implementation, based in particular on the information received from the Member States under Article 54(1), and taking into account advancements in the development of alternative methods not entailing the use of animals. The Commission shall report to the European Parliament and to the Council on the results of this evaluation and accompany such report, if necessary, by appropriate legislative proposals.

Amendment 29

Proposal for a regulation

Article 6 – paragraph 1 – point 2 – point a

Directive 2010/63/EC

Article 54 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

Member States shall collect and make publicly available, on an annual basis, statistical information on the use of animals in procedures, including information on the actual severity of the procedures and on the origin and species of non-human primates used in procedures.

Member States shall collect and make publicly available, on an annual basis, ***and without delay*** statistical information on the use of animals in procedures, including information on the actual severity of the procedures and on the origin and species of non-human primates used in procedures.

Amendment 30

Proposal for a regulation

Article 6 – paragraph 1 – point 2 – point a

Directive 2010/63/EC

Article 54 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Member States shall submit that statistical information to the Commission, at the latest by 30 September of the following year, by electronic transfer, in a non-summarised format established by the Commission in accordance with paragraph 4.

Amendment

Member States shall submit that statistical information to the Commission, at the latest by 30 September of the following year, by electronic transfer, in a **summarised and** non-summarised format established by the Commission in accordance with paragraph 4.

Amendment 31

Proposal for a regulation

Article 6 – paragraph 1 – point 2 – point b

Directive 2010/63/EU

Article 54 – paragraph 4

Text proposed by the Commission

4. The Commission shall establish a common format and information content for submitting the information referred to in paragraphs 1, 2 and 3 in accordance with the **regulatory** procedure referred to in Article 56(3).;

Amendment

4. The Commission shall establish a common format and information content for submitting the information referred to in paragraphs 1, 2 and 3 in accordance with the **examination** procedure referred to in Article 56(3).

Amendment 32

Proposal for a regulation

Article 6 – paragraph 1 – point 2 a (new)

Directive 2010/63/EU

Article 56 – paragraph 3

Present text

3. Where reference is made to this paragraph, **Articles 5 and 7 of Decision 1999/468/EC** shall apply, **having regard to**

Amendment

2 a. In Article 56, paragraph 3 is replaced by the following:

3. Where reference is made to this paragraph, **Article 5 of Regulation (EU)**

the provisions of Article 8 thereof.

No 182/2011 shall apply.

Amendment 33

Proposal for a regulation

Article 7 – paragraph 1 – point 1

Regulation (EC) No 166/2006

Article 5 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The operator of each facility that undertakes one or more of the activities specified in Annex I, above the applicable capacity thresholds specified therein, shall communicate by electronic means to its competent authority the information identifying the facility in accordance with the format referred to in Article 7(2) unless that information is already available to the competent authority.;

Amendment

The operator of each facility that undertakes one or more of the activities specified in Annex I, above the applicable capacity thresholds specified therein, shall communicate ***without delay*** by electronic means to its competent authority the information identifying the facility in accordance with the format referred to in Article 7(2) unless that information is already available to the competent authority.;

Amendment 34

Proposal for a regulation

Article 7 – paragraph 1 – point 3

Regulation (EC) No 166/2006

Article 11

Text proposed by the Commission

3. Article 11 is replaced by the following:

‘Article 11

Confidentiality

Whenever information is considered confidential by a Member State in accordance with Article 4 of Directive 2003/4/EC of the European Parliament and of the Council, the report referred to in Article 7(2) of this Regulation for the reporting year concerned shall indicate separately for each facility which information cannot be made public and

Amendment

deleted

why. That reason shall be made public.

**Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information (OJ L 41, 14.2.2003, p. 26).";'*

Justification

The E-PRTR regulation is an important instrument in the EU environmental aquis because of the information that makes it publicly available on the performance of large industries. Therefore, the current wording and application of Article 11 in the current regulation is in line with its purpose and there is no need for amending it concerning the reporting of confidential data and the deletion of articles 16 and 17.

Amendment 35

Proposal for a regulation

Article 8 – paragraph 1

Regulation (EU) No 995/2010

Article 20 – paragraph 1

Text proposed by the Commission

1. Member States shall make available to the public and the Commission, by 30 April of each year information on the application of this Regulation during the previous calendar year. The Commission may establish, by means of implementing acts, the format and procedure for Member States to make available such information. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 18(2).

Amendment

1. Member States shall make available to the public and the Commission, ***at the latest*** by 30 April of each year information on the application of this Regulation during the previous calendar year. The Commission may establish, by means of implementing acts, the format and procedure for Member States to make available such information. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 18(2).

Amendment 36

Proposal for a regulation

Article 8 – paragraph 1

Regulation (EU) No 995/2010

Article 20 – paragraph 2

Text proposed by the Commission

Amendment

2. Based on the information referred to in paragraph 1, the Commission services shall make publicly available, on an annual basis, a Union-wide overview on the basis of the data submitted by the Member States. In preparing the overview, the Commission services shall have regard to the progress made in respect of the conclusion and operation of the FLEGT VPAs pursuant to Regulation (EC) No 2173/2005 and their contribution to minimising the presence of illegally harvested timber and timber products derived from such timber on the internal market.

2. Based on the information referred to in paragraph 1, the Commission services shall make ***without delay*** publicly available, on an annual basis, a Union-wide overview on the basis of the data submitted by the Member States. In preparing the overview, the Commission services shall have regard to the progress made in respect of the conclusion and operation of the FLEGT VPAs pursuant to Regulation (EC) No 2173/2005 and their contribution to minimising the presence of illegally harvested timber and timber products derived from such timber on the internal market.

Amendment 37

Proposal for a regulation

Article 8 – paragraph 1

Regulation (EU) No 995/2010

Article 20 – paragraph 3

Text proposed by the Commission

3. By 3 December 2015 and every ***six*** years thereafter, the Commission shall, on the basis of information on and experience with the application of this Regulation, review the functioning and effectiveness of this Regulation, including in preventing illegally harvested timber or timber products derived from such timber being placed on the market. It shall in particular consider the administrative consequences for small and medium-sized enterprises and product coverage. The Commission shall report to the European Parliament and to the Council on the results of the review and accompany such reports, if necessary, by appropriate legislative proposals.

Amendment

3. By 3 December 2015 and every ***three*** years thereafter, the Commission shall, on the basis of information on and experience with the application of this Regulation, review the functioning and effectiveness of this Regulation, including in preventing illegally harvested timber or timber products derived from such timber being placed on the market. It shall in particular consider the administrative consequences for small and medium-sized enterprises and product coverage. The Commission shall report to the European Parliament and to the Council on the results of the review and accompany such reports, if necessary, by appropriate legislative proposals.

Amendment 38

Proposal for a regulation

Article 9 – paragraph 1 – point 1

Text proposed by the Commission

1. Member States shall make available to the public and the Commission, by 30 April of each year, information on the application of this Regulation during the previous calendar year.

Amendment 39

Proposal for a regulation

Article 9 – paragraph 1 – point 2

Regulation (EC) No 2173/2005

Article 9 – paragraph 1

Text proposed by the Commission

By December 2021 and every **6** years thereafter, the Commission shall, on the basis of information on and experience with the application of this Regulation, review the functioning and effectiveness of this Regulation. In doing so it should take into account the progress on implementation of the voluntary Partnership Agreements. The Commission shall report to the European Parliament and to the Council on the result of the review and accompany such reports where appropriate, by proposals for improvement of the FLEGT licensing scheme.

Amendment 40

Proposal for a regulation

Article 10 – paragraph 1 – point 1

Regulation (EC) No 338/97

Article 15 – paragraph 4 – point c

Text proposed by the Commission

(c) Without prejudice to Article 20, the management authorities of the Member States shall, one year before each meeting of the Conference of the Parties to the

Amendment

1. Member States shall make available to the public and the Commission, **at the latest** by 30 April of each year, information on the application of this Regulation during the previous calendar year.

Amendment

By December 2021 and every **three** years thereafter, the Commission shall, on the basis of information on and experience with the application of this Regulation, review the functioning and effectiveness of this Regulation. In doing so it should take into account the progress on implementation of the voluntary Partnership Agreements. The Commission shall report to the European Parliament and to the Council on the result of the review and accompany such reports where appropriate, by proposals for improvement of the FLEGT licensing scheme.

Amendment

(c) Without prejudice to Article 20, the management authorities of the Member States shall, one year before each meeting of the Conference of the Parties to the

Convention, communicate to the Commission all the information relating to the relevant preceding period required for drawing up the reports referred to in Article VIII.7 (b) of the Convention and equivalent information on the provisions of this Regulation that fall outside the scope of the Convention. The information to be communicated and the format for its presentation shall be specified by the Commission in accordance with the **regulatory** procedure referred to in Article 18(2).

Convention, communicate to the Commission all the information relating to the relevant preceding period required for drawing up the reports referred to in Article VIII.7 (b) of the Convention and equivalent information on the provisions of this Regulation that fall outside the scope of the Convention. The information to be communicated and the format for its presentation shall be specified by the Commission in accordance with the **examination** procedure referred to in Article 18(2).

Amendment 41

Proposal for a regulation

Article 10 – paragraph 1 a (new)

Regulation (EC) No 338/97

Article 18 – paragraph 2

Present text

2. Where reference is made to this paragraph, **Articles 5 and 7 of Decision 1999/468/EC** shall apply, **having regard to the provisions of Article 8 thereof.**

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months. As regards the Committee's tasks referred to in points 1 and 2 of Article 19, if, on the expiry of a period of three months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission.

Amendment

1 a. In Article 18, paragraph 2 is replaced by the following:

2. Where reference is made to this paragraph, **Article 5 of Regulation (EU) No 182/2011** shall apply.

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Alignment of reporting obligations in the field of environment policy
References	COM(2018)0381 – C8-0244/2018 – 2018/0205(COD)
Committee responsible Date announced in plenary	ENVI 11.6.2018
Opinion by Date announced in plenary	JURI 11.6.2018
Rapporteur Date appointed	Heidi Hautala 9.7.2018
Discussed in committee	3.9.2018
Date adopted	24.9.2018
Result of final vote	+: 19 –: 0 0: 2
Members present for the final vote	Max Andersson, Joëlle Bergeron, Marie-Christine Boutonnet, Jean-Marie Cavada, Rosa Estaràs Ferragut, Heidi Hautala, Sylvia-Yvonne Kaufmann, António Marinho e Pinto, Emil Radev, Evelyn Regner, Pavel Svoboda, Axel Voss, Francis Zammit Dimech, Tadeusz Zwiefka
Substitutes present for the final vote	Sergio Gaetano Cofferati, Geoffroy Didier, Pascal Durand, Jytte Guteland, Jiří Maštálka
Substitutes under Rule 200(2) present for the final vote	Guillaume Balas, John Howarth, Christelle Lechevalier

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

19	+
ALDE	Jean-Marie Cavada, António Marinho e Pinto
EFDD	Joëlle Bergeron
GUE/NGL	Jiří Maštálka
PPE	Geoffroy Didier, Rosa Estaràs Ferragut, Emil Radev, Pavel Svoboda, Axel Voss, Francis Zammit Dimech, Tadeusz Zwiefka
S&D	Guillaume Balas, Sergio Gaetano Cofferati, Jytte Guteland, John Howarth, Sylvia-Yvonne Kaufmann, Evelyn Regner
VERTS/ALE	Max Andersson, Pascal Durand

0	-

2	0
ENF	Marie-Christine Boutonnet, Christelle Lechevalier

Key to symbols:

+ : in favour

- : against

0 : abstention