



18.7.2018

NOTICE TO MEMBERS

(20/2018)

Subject: Proposal for a regulation of the European Parliament and of the Council on persistent organic pollutants (recast)
(COM(2018)0144 – C8-0124/2018 – 2018/0070(COD))

The Interinstitutional agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts¹ requires a consultative working party of the legal services of Parliament, the Council and the Commission to consider any Commission proposal for recasting.

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 3 September 2018.

Annex

¹ OJ C 77, 28.3.2002, p. 1.



CONSULTATIVE WORKING PARTY
OF THE LEGAL SERVICES

Brussels, 22 June 2018

OPINION

**FOR THE ATTENTION OF THE EUROPEAN PARLIAMENT
THE COUNCIL
THE COMMISSION**

Proposal for a regulation of the European Parliament and of the Council xx COM(2018) 144 final of 22.3.2018 - 2018/0070 (COD)

Having regard to the Inter-institutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts, and in particular to point 9 thereof, the Consultative Working Party consisting of the respective legal services of the European Parliament, the Council and the Commission met on 13 and 20 April 2018 for the purpose of examining, among others, the aforementioned proposal submitted by the Commission.

At those meetings¹, an examination of the proposal for a Regulation of the European Parliament and of the Council recasting Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC resulted in the Consultative Working Party's establishing, by common accord, as follows.

1. The following should have been marked with the grey-shaded type generally used for identifying substantive changes:
 - in Article 4(3), fourth subparagraph, the adding of the words '*in an annotation*' and the replacement of the word '*first*' with '*second*';
 - in Article 7(5), the replacement of the current references to '*paragraph 4(b)*' with references to '*paragraph 4*';
 - in Article 9(2), the adding of the words '*its publication*';
 - in Article 13(1)(a), the deletion of the words '*forward to the Commission*';
 - in Article 13(1)(f), the deletion of the words '*provide the Commission*' and '*with*'.
2. In the third subparagraph of Article 9(4), the adding of the word '*that*' should have been identified with adaptation arrows and the word '*plan*' should not have been presented between adaptation arrows.
3. In Annex IV, footnote no. 7 should be adapted so as to read as indicated in the document

¹ The Consultative Working Party worked on the basis of the English language version of the proposal, being the master-copy language version of the text under discussion.

attached hereto.

In consequence, examination of the proposal has enabled the Consultative Working Party to conclude, without dissent, that the proposal does not comprise any substantive amendments other than those identified as such. The Working Party also concluded, as regards the codification of the unchanged provisions of the earlier act with those substantive amendments, that the proposal contains a straightforward codification of the existing legal text, without any change in its substance.

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