

EUROPEAN PARLIAMENT

1999



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Consolidated legislative document

21 September 2000

2000/0170(COD) – PE1

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POSITION OF THE EUROPEAN PARLIAMENT

adopted at first reading on 21 September 2000 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2000 amending Regulation (EC) No .../2000 (on substances that deplete the ozone layer) as regards the base year for the allocation of hydrochlorofluorocarbons (2000/0170(COD) – PE1)

PE 295.901

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with a view to the adoption of European Parliament and Council Regulation (EC) No .../2000 amending Regulation (EC) No .../2000 (on substances that deplete the ozone layer) as regards the base year for the allocation of hydrochlorofluorocarbons

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 175(1) thereof,

Having regard to the proposal from the Commission¹,

Having regard to the opinion of the Economic and Social Committee²,

Having regard to the opinion of the Committee of the Regions³,

Acting in accordance with the procedure laid down in Article 251 of the Treaty⁴,

Whereas:

- (1) Regulation (EC) No .../2000 of the European Parliament and of the Council of ... on substances that deplete the ozone layer⁵ takes 1996 as the base year for allocating quotas of hydrochlorofluorocarbons (HCFCs). Since 1996 the HCFC market has changed considerably with respect to importers and the maintenance of 1996 would result in a large number of importers being deprived of their import quota. As a general rule quotas should be based on the most recent and representative figures available, in this case those for 1999, and so the maintenance of 1996 could be considered arbitrary and might also result in a breach of the principles of non-discrimination and legitimate expectations.
- (2) Regulation (EC) No .../2000 should therefore be amended accordingly,

¹ OJ C

² OJ C

³ OJ C

⁴ *Position of the European Parliament of 21 September 2000.*

⁵ OJ L

HAVE ADOPTED THIS REGULATION:

Article 1

In Article 4(3)(i)(h) of Regulation (EC) No .../2000, “*its percentage market share in 1996*” shall be replaced by “*the percentage share assigned to it in 1999*”.

Article 2

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

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at,

For the European Parliament
The President

For the Council
The President