

# EUROPEAN PARLIAMENT

1999



2004

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*Session document*

FINAL  
**A5-0298/2001**

13 September 2001

**\*\*\*II**

## **RECOMMENDATION FOR SECOND READING**

on the Council common position for adopting a European Parliament and Council regulation on a Community Energy Efficiency Labelling Programme for Office and Communication Technology Equipment (6760/1/2001 – C5-0246/2001 – 2000/0033(COD))

Committee on Industry, External Trade, Research and Energy

Rapporteur: Eryl Margaret McNally

### ***Symbols for procedures***

- \* Consultation procedure  
*majority of the votes cast*
- \*\*I Cooperation procedure (first reading)  
*majority of the votes cast*
- \*\*II Cooperation procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\* Assent procedure  
*majority of Parliament's component Members except in cases  
covered by Articles 105, 107, 161 and 300 of the EC Treaty and  
Article 7 of the EU Treaty*
- \*\*\*I Codecision procedure (first reading)  
*majority of the votes cast*
- \*\*\*II Codecision procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\*III Codecision procedure (third reading)  
*majority of the votes cast, to approve the joint text*

(The type of procedure depends on the legal basis proposed by the Commission)

### ***Amendments to a legislative text***

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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## PROCEDURAL PAGE

At the sitting of 1 February 2001 Parliament adopted its position at first reading on the proposal for a European Parliament and Council regulation on a Community Energy Efficiency Labelling Programme for Office and Communication Technology Equipment (COM(2000) 18 - 2000/0033 (COD)).

At the sitting of 13 June 2001 the President of Parliament announced that the common position had been received and referred to the Committee on Industry, External Trade, Research and Energy (6760/1/2001 - C5-0246/2001).

The committee had appointed Eryl Margaret McNally rapporteur at its meeting of 19 April 2000.

It/The committee considered the common position and the draft recommendation for second reading at its meetings of 19 June, 12 July, 28 August and 12 September 2001 .

At last meeting it adopted the draft legislative resolution unanimously.

The following were present for the vote: Carlos Westendorp y Cabeza, , chairman; Nuala Ahern, and Peter Michael Mombaur, vice-chairmen; ..., rapporteur; Ward Beysen (for Nicholas Clegg), Guido Bodrato, Yves Butel, Gérard Caudron, Giles Bryan Chichester, Willy C.E.H. De Clercq, Concepció Ferrer, Francesco Fiori (for Renato Brunetta), Colette Flesch, Jacqueline Foster (for Konrad K. Schwaiger), Neena Gill (for Eryl Margaret McNally), Norbert Glante, Michel Hansenne, Malcolm Harbour (for W.G. van Velzen), Roger Helmer, Hans Karlsson, Peter Liese (for Werner Langen), Rolf Linkohr, Caroline Lucas, Nelly Maes, Yves Piétrasanta, Samuli Pohjamo (for Elly Plooi-j-van Gorsel), John Purvis, Mechtilde Rothe, Christian Foldberg Røvsing, Gilles Savary (for Harlem Désir), Esko Olavi Seppänen, Claude Turmes (for Ilka Schröder), Jaime Valdivielso de Cué, Alejo Vidal-Quadras Roca, Dominique Vlasto, Anders Wijkman, Olga Zrihen Zaari.

The recommendation for second reading was tabled on 13 September 2001.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

## DRAFT LEGISLATIVE RESOLUTION

**European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council regulation on a Community Energy Efficiency Labelling Programme for Office and Communication Technology Equipment (6760/1/2001 – C5-0246/2001 – 2000/0033(COD))**

**(Codecision procedure: second reading)**

*The European Parliament,*

- having regard to the Council common position (6760/1/2001 – C5-0246/2001),
  - having regard to its position at first reading<sup>1</sup> on the Commission proposal to Parliament and the Council (COM(2000) 18<sup>2</sup>##),
  - having regard to the Commission's amended proposal (COM(2001) 142<sup>3</sup>),
  - having regard to Article 251(2) of the EC Treaty,
  - having regard to Rule 80 of its Rules of Procedure,
  - having regard to the recommendation for second reading of the Committee on Industry, External Trade, Research and Energy (A5-0298/2001),
1. Amends the common position as follows;
  2. Instructs its President to forward its position to the Council and Commission.

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<sup>1</sup> OJ C not yet published.

<sup>2</sup> OJ C150, 30.5.2000, p. 73

<sup>3</sup> OJ C180, 26.6.2001, p. 262.

Amendment 1  
Recital 14 b (new)

***(14) In addition to the labelling of especially efficient equipment, the most inefficient equipment should gradually be withdrawn from the market. The Commission should therefore examine whether it is possible to conclude a voluntary arrangement with manufacturers of the equipment concerned to ensure that particularly inefficient equipment is taken off the market altogether. The Commission should present a proposal for relevant legislation, should it be impossible to conclude such a voluntary arrangement.***

*Justification*

*In other areas too the European Union's goal is not only to promote the best products at the time by means of a label but also to withdraw from the market those products which fall far short of the requirements.*

## **EXPLANATORY STATEMENT**

In its Joint Position, the Council considers that it has adopted, in full or in part, sometimes in spirit, the 14 amendments tabled by Parliament. The rapporteur accepts this assessment of the situation, and therefore proposes that in 2<sup>nd</sup> reading Parliament accept the Common Position.

As regards amendment 5, calling for the gradual withdrawal of the most inefficient equipment from the market, the rapporteur sympathises with this aim but draws attention to the fact that the present regulation may not necessarily be the best instrument for its achievement. The statement by the Council that it considered the new wording of Article 14 as broad enough to cover the type of complementary measure envisaged by the Parliament ought to be taken into account.