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REPORT

on the proposal for a European Parliament and Council regulation amending Council Regulation (EC) No 1734/94 on financial and technical cooperation with the Occupied Territories
(COM(2003) 523 – C5-0403/2003 – 2003/0204(COD))

Committee on Industry, External Trade, Research and Energy

Rapporteur: Luis Berenguer Fuster

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

By letter of 29 August 2003 the Commission submitted to Parliament, pursuant to Articles 251(2) and 179 of the EC Treaty, the proposal for a European Parliament and Council regulation on amending Council Regulation (EC) No 1734/94 on financial and technical cooperation with the Occupied Territories (COM(2003) 523 – 2003/0204(COD)).

At the sitting of 22 September 2003 the President of Parliament announced that he had referred the proposal to the Committee on Industry, External Trade, Research and Energy as the committee responsible and the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy and to the Committee on Budgets for their opinions (C5-0403/2003).

The Committee on Industry, External Trade, Research and Energy appointed Luis Berenguer Fuster rapporteur at its meeting of 2 October 2003.

At its meeting of 3 November 2003 the committee considered the Commission proposal and the draft report.

At the meeting of 12 January 2004 it adopted the draft legislative resolution unanimously.

The following were present for the vote: Luis Berenguer Fuster (chairman and rapporteur), Peter Michael Mombaur (vice-chairman), Yves Piétrasanta (vice-chairman), Sir Robert Atkins, María del Pilar Ayuso González (for Alejo Vidal-Quadras Roca), Guido Bodrato, Giles Bryan Chichester, Marie-Hélène Descamps (for Dominique Vlasto), Concepció Ferrer, Francesco Fiori (for Paolo Pastorelli), Michel Hansenne, Malcolm Harbour (for Bashir Khanbhai), Roger Helmer (for John Purvis), Rolf Linkohr, Marjo Matikainen-Kallström, Eryl Margaret McNally, Elizabeth Montfort, Bill Newton Dunn (for Nicholas Clegg), Christian Foldberg Rovsing, Esko Olavi Seppänen, Alejo Vidal-Quadras Roca and Myrsini Zorba.

The Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy decided on 7 October 2003 not to deliver an opinion and to the Committee on Budgets decided on 7 October 2003 not to deliver an opinion.

The report was tabled on 20 January 2003.

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a European Parliament and Council regulation on amending Council Regulation (EC) No 1734/94 on financial and technical cooperation with the Occupied Territories
(COM(2003) 523 – C5-0403/2003 – 2003/0204(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 523)¹,
 - having regard to Articles 251(2) and 179 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0403/2003),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Industry, External Trade, Research and Energy (A5-0002/2004),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

Amendment 1

ARTICLE 1, POINT 2

Article 2, paragraph 3a (new)(Regulation (EC) No 1734/94)

Support measures may also include eligible beneficiaries as outlined in Art. 1(2) of Council Regulation (EC) No 1488/96 of 23 July on financial and technical measures to accompany (MEDA) the reform of economic and social structures in the framework of the Euro-Mediterranean partnership.

The beneficiaries of support measures may include not only States and regions but also local authorities, regional organisations, public agencies, local or traditional communities, organisations supporting business, private operators, cooperatives, mutual societies, associations, foundations and non-governmental organisations.

¹ Not yet published in OJ.

Justification

This amendment is technical in the sense that the relevant provision of the Council Regulation (EC) N°2698/2000 of 27 November 2000 on MEDA II (OJ L311, 12.12.2000) replaces the reference to Regulation (EC) N°1488/96 on MEDA I.

Amendment 2

ARTICLE 1, POINT 2

Article 2, paragraph 6a (new)(Regulation (EC) No 1734/94)

Invitations to tender and contract shall be open on equal terms to all natural and legal persons in the Member States and the Mediterranean partners.

Invitations to tender and contract shall be open on equal terms to all natural and legal persons in the Member States and the Mediterranean partners ***as defined in Annex I of Council Regulation (EC) No 1488/96 of 23 July on financial and technical measures to accompany (MEDA) the reform of economic and social structures in the framework of the Euro-Mediterranean partnership.***

Justification

It enhances legal clarity by referring to the proper annex.