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REPORT

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 2150/2002 on waste statistics, as regards the implementing powers conferred on the Commission
(COM(2007)0777 – C6-0456/2007 – 2007/0271(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Johannes Blokland

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***. In the case of amending acts, passages in an existing provision that the Commission has left unchanged, but that Parliament wishes to amend, are highlighted in **bold**. Any deletions that Parliament wishes to make in passages of this kind are indicated thus: [...]. 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). Suggested corrections of this kind are subject to the agreement of the departments concerned.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 2150/2002 on waste statistics, as regards the implementing powers conferred on the Commission (COM(2007)0777 – C6-0456/2007 – 2007/0271(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2007)0777),
 - having regard to Article 251(2) and Article 285(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0456/2007),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A6-0282/2008),
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. Calls on the Commission to publish the report referred to in Article 8(1) of Regulation (EC) No 2150/2002 as soon as possible;
 4. Calls on the Commission to present the proposal referred to in Article 8(2) of Regulation (EC) No 2150/2002 as soon as possible, in order to abolish overlapping reporting obligations;
 5. Calls on the Commission to present further reports and proposals following up on those published pursuant to Article 8(3) of Regulation (EC) No 2150/2002, concerning the progress of the pilot studies referred to in Articles 4(3) and 5(1), as soon as possible;
 6. Instructs its President to forward its position to the Council and Commission.

Amendment 1

Proposal for a regulation – amending act

Article 1 - point 2 a (new)

Regulation (EC) No 2150/2002)

Article 4 - paragraph 3

(2a) Article 4(3) shall be replaced by the following:

"3. The Commission shall draw up a programme for pilot studies on waste from the economic activities referred to in paragraph 1(b) to be carried out by the Member States. The pilot studies shall aim to develop a methodology to obtain regular data which shall be governed by the principles of Community statistics, as laid down in Article 10 of Regulation (EC) No 322/97.

The Commission shall finance up to 100% of the costs for conducting the pilot studies. On the basis of the conclusions of the pilot studies, the Commission shall adopt the necessary implementing measures. These measures, designed to amend non-essential elements of this Regulation, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 7(3)."

EXPLANATORY STATEMENT

Background and purpose of the proposal

Regulation (EC) No 2150/2002 on waste statistics entered into force 29 December 2002. In accordance with the joint declaration of the European Parliament, the Council and the Commission on Decision 2006/512/EC, for the new comitology procedure (regulatory procedure with scrutiny) to be applicable to instruments adopted in accordance with the procedure laid down in Article 251 of the Treaty which are already in force, those instruments must be adjusted in accordance with the applicable procedures. The purpose of the current Commission proposal is therefore to adapt the provisions in the Waste Statistics Regulation to the new comitology procedure where relevant.

According to the current proposal power should be conferred on the Commission to define the proper quality evaluation criteria and the contents of the quality reports, implement the results of the pilot studies and adapt the contents of the annexes. Since these measures are of general scope and seek to amend non-essential elements of Regulation (EC) No 2150/2002, including by supplementing it by the addition of new non-essential elements, they should be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Rapporteur's suggestion

In few cases the old regulatory procedure has been kept and in two cases the Rapporteur proposes to amend the proposal in order to bring also the adoption of implementing measures on basis of the conclusions of pilot studies and measures for the production of results in accordance with Article 3(2), (3) (measures referred to in Article 4(3)) under the new comitology procedure.

Comments with regard to various delays

The Rapporteur also would like to take this opportunity to point out that when looking at the implementation and follow up of the Regulation certain delays can be noticed. It can be mentioned for example that the implementing measures for setting out the appropriate format for the transmission of results by Member States¹, as referred to in Article 6, were delayed about 5 months - The Commission report referred to in Article 8(1) on quality and the burden on businesses is still not available (deadline was 29 December 2007) - The Commission report and the subsequent proposals referred to in Article 8(2) on abolishing overlapping reporting obligations was not sent to the Parliament and the Council.

The Commission report referred to in Article 8(3) on the progress of the pilot studies referred to in Article 4(3) and Article 5(1)² is published on 31 May 2005 (also 5 months after the deadline). Regarding the content of this report, the following is concluded:

The first results from the pilot studies on statistics on import and export of waste demonstrate that although foreign trade statistics have been identified as the best source they do not

¹ Commission regulation (EC) No 782/2005 of 24 May 2005.

² COM(2005)2230 published on 31 May 2005.

provide a full set of data that can be used to complement the data covered by the Waste Shipment Regulation. For a number of waste categories for which statistics are to be compiled a concrete solution has not been identified yet and therefore further studies would be necessary.

With regard to statistics on waste from agriculture, hunting, forestry and fisheries a large variety of waste streams have to be considered and the most crucial issue is to what extent bio-organic waste will be covered by waste statistics. Another essential aspect is the treatment of waste within the agricultural sector and the extent to which this is included in the waste statistics.

It is therefore necessary that a follow-up report of these pilot studies, with additional proposals, will be issued by the European Commission.

PROCEDURE

Title	Waste statistics
References	COM(2007)0777 – C6-0456/2007 – 2007/0271(COD)
Date submitted to Parliament	6.12.2007
Committee responsible Date announced in plenary	ENVI 19.2.2008
Committee(s) asked for opinion(s) Date announced in plenary	JURI 19.2.2008
Not delivering opinions Date of decision	JURI 8.4.2008
Rapporteur(s) Date appointed	Johannes Blokland 20.2.2008
Discussed in committee	27.5.2008
Date adopted	24.6.2008
Result of final vote	+: 46 -: 0 0: 0
Members present for the final vote	Adamos Adamou, Margrete Auken, Liam Aylward, Johannes Blokland, John Bowis, Frieda Brepoels, Hiltrud Breyer, Magor Imre Csibi, Chris Davies, Avril Doyle, Mojca Drčar Murko, Matthias Groote, Françoise Grossetête, Satu Hassi, Gyula Hegyi, Jens Holm, Marie Anne Isler Béguin, Dan Jørgensen, Christa Klač, Eija-Riitta Korhola, Urszula Krupa, Marios Matsakis, Linda McAvan, Roberto Musacchio, Riitta Myller, Miroslav Ouzký, Vladko Todorov Panayotov, Vittorio Prodi, Frédérique Ries, Guido Sacconi, Horst Schnellhardt, Richard Seeber, Kathy Sinnott, María Sornosa Martínez, Antonios Trakatellis, Evangelia Tzampazi, Thomas Ulmer, Anja Weisgerber, Glenis Willmott
Substitute(s) present for the final vote	Iles Braghetto, Jutta Haug, Erna Hennicot-Schoepges, Karsten Friedrich Hoppenstedt, Miroslav Mikolášik
Substitute(s) under Rule 178(2) present for the final vote	Elspeth Attwooll, Andreas Schwab