



EUROPEAN PARLIAMENT

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*Committee on Legal Affairs*

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**2014/0216(COD)**

13.11.2014

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## **DRAFT REPORT**

on the proposal for a directive of the European Parliament and of the Council relating to a reduction in the sulphur content of certain liquid fuels (codified text)

(COM(2014)0466 – C8-0107/2014 – 2014/0216(COD))

Committee on Legal Affairs

Rapporteur: Andrzej Duda

(Codification – Rule 103 of the Rules of Procedure)

***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

## CONTENTS

	<b>Page</b>
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION .....	5
ANNEX: OPINION OF THE CONSULTATIVE WORKING PARTY OF THE LEGAL SERVICES OF THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE COMMISSION.....	6



## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a directive of the European Parliament and of the Council relating to a reduction in the sulphur content of certain liquid fuels (codified text)  
(COM(2014)0466 – C8-0107/2014 – 2014/0216(COD))**

**(Ordinary legislative procedure – codification)**

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2014)0466),
  - having regard to Article 294(2) and Article 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0107/2014),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of 15 October 2014<sup>1</sup>,
  - having regard to the opinion of the Committee of the Regions of ...,
  - having regard to the Interinstitutional Agreement of 20 December 1994 - Accelerated working method for official codification of legislative texts<sup>2</sup>,
  - having regard to Rules 103 and 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Legal Affairs (A8-0000/2014),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the proposal in question contains a straightforward codification of the existing texts without any change in their substance;
1. Adopts its position at first reading, taking over the Commission proposal as adapted to the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission;
  2. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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<sup>1</sup> Not yet published in the Official Journal.

<sup>2</sup> OJ C 102, 4.4.1996, p. 2.

**ANNEX: OPINION OF THE CONSULTATIVE WORKING PARTY OF THE LEGAL SERVICES OF THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE COMMISSION**



CONSULTATIVE WORKING PARTY  
OF THE LEGAL SERVICES

Brussels, 12 November 2014

**OPINION**

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

**Proposal for a Directive of the European Parliament and of the Council relating to a reduction in the sulphur content of certain liquid fuels (codification)  
COM(2014) 466 final of 15.7.2014 – 2014/0216(COD)**

Having regard to the Inter-institutional Agreement of 20 December 1994 on an accelerated working method for official codification of legislative texts, and in particular to point 4 thereof, the Consultative Working Party consisting of the respective legal services of the European Parliament, the Council and the Commission met on 25 September and 14 October 2014 for the purpose of examining, among others, the aforementioned proposal submitted by the Commission.

At those meetings<sup>1</sup>, an examination of the proposal for a Directive of the European Parliament and of the Council codifying Council Directive 1999/32/EC of 26 April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC resulted in the Consultative Working Party's establishing, by common accord, as follows.

1) In the preamble to the codified version of the directive, the text of the recital having been numbered 30 should be inserted between the recitals having been numbered 39 and 40. As a consequence thereof, the recitals having been numbered 31 to 39 should be renumbered 30 to 38, and the recital having been numbered 30 should be renumbered 39.

2) In Article 2(g), the existing wording of Article 2(3d) of Directive 1999/32/EC should be reinstated in a slightly adapted form so as to read as follows: "*Annex VI to MARPOL means the annex, entitled 'Regulations for the Prevention of Air Pollution from Ships', that the Protocol of 1997 added to MARPOL*".

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<sup>1</sup> 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.

3) In Article 6(1), second subparagraph, the reference made to "*paragraphs 2 and 4 of this Article*" should be adapted so as to read as a reference to "*paragraphs 2 and 5 of this Article*".

4) The wording of Article 20 should be replaced by the following wording: "*This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union*".

In consequence, examination of the proposal has enabled the Consultative Working Party to conclude, without dissent, that the proposal is a straightforward codification of existing texts, without any change in their substance.

F. DREXLER  
Jurisconsult

H. LEGAL  
Jurisconsult

L. ROMERO REQUENA  
Director General