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## TEXTS ADOPTED

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### **P8\_TA(2017)0327**

#### **Measures to safeguard the security of gas supply \*\*\*I**

**European Parliament legislative resolution of 12 September 2017 on the proposal for a regulation of the European Parliament and of the Council concerning measures to safeguard the security of gas supply and repealing Regulation (EU) No 994/2010 (COM(2016)0052 – C8-0035/2016 – 2016/0030(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2016)0052),
- having regard to Article 294(2) and Article 194 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0035/2016),
- having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis,
- having regard to Article 294(3) and Article 194(2) of the Treaty on the Functioning of the European Union,
- having regard to the reasoned opinions submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Austrian Federal Council and the Bulgarian Parliament, asserting that the draft legislative act does not comply with the principle of subsidiarity,
- having regard to the opinion of the European Economic and Social Committee of 22 September 2016<sup>1</sup>,
- after consulting the Committee of the Regions,
- having regard to the provisional agreement approved by the committee responsible under Rule 69f(4) of its Rules of Procedure and the undertaking given by the Council representative by letter of 10 May 2017 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,

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<sup>1</sup> OJ C 487, 28.12.2016, p. 70.

- having regard to Rules 59 and 39 of its Rules of Procedure,
  - having regard to the report of the Committee on Industry, Research and Energy and the opinions of the Committee on Foreign Affairs and the Committee on Regional Development (A8-0310/2016),
1. Adopts its position at first reading hereinafter set out;
  2. Takes note of the Commission statement annexed to this resolution;
  3. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
  4. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

**P8\_TC1-COD(2016)0030**

**Position of the European Parliament adopted at first reading on 12 September 2017 with a view to the adoption of Regulation (EU) 2017/... of the European Parliament and of the Council concerning measures to safeguard the security of gas supply and repealing Regulation (EU) No 994/2010**

*(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU) 2017/1938.)*

## **ANNEX TO THE LEGISLATIVE RESOLUTION**

### **STATEMENT OF THE COMMISSION AS REGARDS ARTICLE 16 OF THE REGULATION**

The Commission welcomes the co-cooperation mechanisms set out in Article 16 of the proposed Regulation as an important tool for ensuring consistency of preventive action and emergency plans with Energy Community Contracting Parties.

The Commission stresses the importance of effectively ensuring that no measures are put in place by Energy Community Contracting Parties that may negatively affect the security of supply situation in the EU and its Member State and vice versa.

In this respect, the Commission will, without prejudice to its initial Commission proposal of 16 February 2016, consider proposing to the Council in due course a recommendation under Art. 218 TFEU for negotiations on amendments of the Energy Community Treaty with a view to establishing an appropriate legal framework and mechanisms to allow applicability of selected provisions of the Regulation and other relevant parts of the *acquis communautaire* in the field of energy between the EU and its Member States on the one hand, and Contracting Parties of the Energy Community on the other, so as to ensure effective implementation of a reinforced security of gas supply framework.