



European Communities

EUROPEAN PARLIAMENT

SESSION DOCUMENTS

English Edition

19 November 1990

A3-0314/90

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REPORT

of the Temporary Committee to consider the impact of the process of German Unification on the European Community

on the common positions of the Council on the Community and German unification

1. Regulation on tariff measures (C3-365/90-1)
2. Decision on ECSC products (assent) (C3-365/90-2)
3. Directive on harmonization of technical rules (C3-365/90-3)
4. Decision on consumer protection (C3-365/90-4)
5. Directive on aid for shipbuilding (C3-365/90-5)
6. Directive on statistics: transport, gas, electricity (C3-365/90-6)
7. Regulation on statistics: labour forces (C3-365/90-7)
8. Regulation on statistics: agriculture (C3-365/90-8)
9. Decision on aid for the steel industry (C3-365/90-9)
10. Directive on plant health (C3-365/90-10)
11. Regulation on fisheries: common policy (C3-365/90-11)
12. Decision on fisheries: Spitzbergen (C3-365/90-12)
13. Regulation on transport: Road, rail and inland waterway (C3-365/90-13)
14. Regulation on transport: Shipping (C3-365/90-14)
15. Regulation on energy (C3-365/90-15)
16. Directive on environment (C3-365/90-16)
17. Regulation on agriculture (C3-365/90-17)

Rapporteur: Mr Alan John DONNELLY

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PE 145.032/fin.

Reports - B Series: Motions for Resolutions, Oral Questions - C Series: Documents received from other Institutions (e.g. Consultations)

consultation procedure requiring a single reading



= Cooperation procedure (second reading) which requires the votes of a majority of the current Members of Parliament for rejection or amendment

procedure (first reading)



= Parliamentary assent which requires the votes of a majority of the current Members of Parliament

At its sitting of 24 October 1990, the European Parliament delivered its opinion at first reading on the Commission proposals to the Council on the legislative acts set out below.

At its sitting of 19 November 1990, the President of the European Parliament announced that he had received the common positions from the Council and had referred them to the temporary committee as the committee responsible and to the committees indicated below for their opinions.

- Proposal for a Council Regulation (EEC) on the introduction of transitional tariff measures for Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the USSR and Yugoslavia until 31 December 1991 to take account of German unification (C3-365/90-1)
 - Opinion: Committee on Budgets
Committee on External Economic Relations
Committee on Budgetary Control
- Commission Decision on the introduction of transitional tariff measures for products covered by the Treaty establishing the ECSC for Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the USSR and Yugoslavia until 31 December 1991 to take account of German unification (C3-365/90-2)
 - Opinion: Committee on Budgets
Committee on External Economic Relations
- Proposal for a Council Directive on transitional measures applicable in Germany in the context of the harmonization of technical rules (C3-365/90-3)
 - Opinion: Committee on Budgets
Committee on Agriculture, Fisheries and Rural Development
Committee on Economic and Monetary Affairs and Industrial Policy
- Proposal for a Council Decision on the adaptations necessary in the context of German unification to the Community's system for rapid exchange of information on dangers arising from the use of consumer products (C3-365/90-4)
 - Opinion: Committee on Budgets
Committee on the Environment, Public Health and Consumer Protection
- Proposal for a Council Directive amending Directive 87/167/EEC on aid to shipbuilding (C3-365/90-5)
 - Opinion: Committee on Budgets
Committee on Economic and Monetary Affairs and Industrial Policy
- Draft Council Directive laying down amendments for the purpose of implementing in Germany certain Community Directives relating to statistics on the carriage of goods and statistics on gas and electricity prices (C3-365/90-6)
 - Opinion: Committee on Budgets
Committee on Transport and Tourism
Committee on Energy, Research and Technology

- Draft Council Regulation laying down amendments for the purpose of implementing in Germany Council Regulation (EEC) No. 3044/89 on the organization of a labour force sample survey in the spring of 1990 and 1991 (C3-365/90-7)
 - Opinion: Committee on Budgets
Committee on Economic and Monetary Affairs and Industrial Policy
- Proposal for a Council Regulation (EEC) on derogations in respect of statistical surveys in Germany in connection with the unification of Germany (C3-365/90-8)
 - Opinion: Committee on Budgets
Committee on Agriculture, Fisheries and Rural Development
- Commission Decision amending Decision No. 322/89/ECSC establishing Community rules for aid to the steel industry (C3-365/90-9)
 - Opinion: Committee on Budgets
Committee on Economic and Monetary Affairs and Industrial Policy
- Proposal for a Council Directive on the transitional measures and the adjustments required to the Directives on plant products, seeds, plants and animal feedingstuffs and to the veterinary and zootechnical legislation as a result of the integration of the territory of the former German Democratic Republic into the Community (C3-365/90-10)
 - Opinion: Committee on Budgets
Committee on the Environment, Public Health and Consumer Protection
Committee on Agriculture, Fisheries and Rural Development
- Proposal for a Council Regulation (EEC) introducing various measures concerning the implementation of the common fisheries policy in the former German Democratic Republic (C3-365/90-11)
 - Opinion: Committee on Budgets
Committee on Agriculture, Fisheries and Rural Development
- Proposal for a Council Decision amending Decision 87/277/EEC on the allocation of the catch possibilities for cod in the Spitzbergen and Bear Island area and in Division 3M as defined in the NAFO Convention (C3-365/90-12)
 - Opinion: Committee on Budgets
Committee on Agriculture, Fisheries and Rural Development
- Proposal for a Council Regulation (EEC) amending, as a result of German unification, certain Directives, Decisions and Regulations relating to transport by road, rail and inland waterway (C3-365/90-13)
 - Opinion: Committee on Budgets
Committee on Transport and Tourism
- Proposal for a Council Regulation (EEC) amending, as a result of German unification, Regulation (EEC) No. 4055/86 applying the principle of freedom to provide services to maritime transport between Member States and between Member States and third countries (C3-365/90-14)
 - Opinion: Committee on Budgets
Committee on Transport and Tourism

- Proposal for a Council Regulation (EEC) introducing a transitional period for the implementation of certain Community acts in the energy sector (C3-365/90-15)
 - Opinion: Committee on Budgets
Committee on Energy, Research and Technology

- Proposal for a Council Directive on the transitional measures applicable in Germany with regard to certain Community provisions relating to the protection of the environment (C3-365/90-16)
 - Opinion: Committee on Budgets
Committee on the Environment, Public Health and Consumer Protection

- Proposal for a Council Regulation (EEC) on the transitional measures and adjustments required in the agricultural sector as a result of the integration of the territory of the former German Democratic Republic into the Community (C3-365/90-17)
 - Opinion: Committee on Budgets
Committee on Agriculture, Fisheries and Rural Development

At its meeting of 10 September 1990 the committee appointed Mr Alan Donnelly rapporteur.

At its meetings of 12 and 19 November, in accordance with the conclusions of the Presidents of the European Parliament, the Council of Ministers and the Commission on the procedures for adapting secondary Community legislation to the integration of the GDR in the Community of 6 September 1990 and Rule 43 of Parliament's Rules of Procedure, it considered the common positions and the draft resolution.

At the latter meeting it adopted this report unanimously.

The following were present for the vote: Fernandez Albor, chairman; Veil, first vice-chairman; Donnelly, rapporteur; Braun-Moser (for Pirkel), Brok, Cramon-Daiber, Desama, Florenz (for Zeller), H.F. Köhler (for Woltjer), Navarro (for Cassanmagnago Cerretti), Roth-Behrendt, Tindemans, von Wechmar, Welsh and Wettig.

The explanatory statement will be presented orally.

The report was tabled on 19 November 1990.

The deadline for tabling amendments is 1 p.m. on Tuesday, 20 November.

EUROPEAN PARLIAMENT

AJ 0314/90/1

Amendment to Doc. C3-365/90-1

Title: Draft text of a Regulation on the introduction of transitional tariff measures for Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the USSR and Yugoslavia until 31 December 1991 to take account of German unification to which the Council has given sympathetic consideration

Proposal No.: C3-0261/90 - COM(90) 400/3
by: the Committee on Budgets

	Code Amendement	S.Pl.
Com. Permanente	II - 03 -	004
Com. Temporaire	II - 27 - 102	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendments

After the last recital

Whereas, with respect to its financial consequences, this Regulation can only be implemented through revision of the financial perspective and adjustment of the annual budget, which will allow the budgetary authority to enter the amounts necessary to cover its financial impact during the course of the budgetary procedure.

EUROPEAN PARLIAMENT

A3-0314/90/2

Amendment to Doc. C3-365/90-1

Title: Draft text of a regulation on the introduction of transitional tariff measures for Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the USSR and Yugoslavia from 1 December 1990 to 31 December 1991 to take account of German unification to which the Council has given sympathetic consideration

Proposal No.: COM(90) 400/3 - C3-261/90
 by: the Committee on External Economic Relations

	Code Amendement	S.Pl.
Com. Permanente	II - 06	006
Com. Temporaire	II - 27 - 103	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendments

Article 1(1)

From 3 October 1990, the date of German unification, to 31 December 1992 import duties within the meaning of Article 1 of Regulation (EEC) No. 2144/87, including the existing anti-dumping duties, shall be suspended for goods originating in Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the USSR and Yugoslavia covered by the agreements listed in Annexes I and II, concluded between those countries and the former German Democratic Republic up to the maximum quantities or values established by the said agreements.

From 3 October 1990, the date of German unification, to 31 December 1992 import duties within the meaning of Article 1 of Regulation (EEC) No. 2144/87, including the existing anti-dumping duties, shall be suspended for goods originating in Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the USSR and Yugoslavia covered by the agreements listed in Annexes I and II, concluded between those countries and the former German Democratic Republic up to the maximum quantities or values established by the said agreements, full details of which shall be published in the Official Journal of the European Communities.

EUROPEAN PARLIAMENT

A3-0314/90/3

Amendment to Doc. C3-365/90-2

Title: Draft text of a Decision on the introduction of transitional tariff measures for products covered by the Treaty establishing the ECSC for Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the USSR and Yugoslavia until 31 December 1991 to take account of German unification to which the Council has given sympathetic consideration

Proposal No.: C3-0263/90 - COM(90)400/5
by: the Committee on Budgets

	Code Amendement	S.Pl.
Com. Permanente	II - 03 -	018
Com. Temporaire	II - 27 - 104	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendments

After the last recital :

Whereas, with respect to its financial consequences, this Decision can only be implemented through revision of the financial perspective and adjustment of the annual budget, which will allow the budgetary authority to enter the amounts necessary to cover its financial impact during the course of the budgetary procedure.

EUROPEAN PARLIAMENT

A3-0314/90/4

Amendment to Doc. C3-365/90-1

Title: Draft text of a regulation on the introduction of transitional tariff measures for Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the USSR and Yugoslavia from 1 December 1990 to 31 December 1991 to take account of German unification to which the Council has given sympathetic consideration

Proposal No.: COM(90) 400/3 - C3-261/90
by: the Committee on External Economic Relations

	Code Amendement	S.Pl.
Com. Permanente	II - 06 -	019
Com. Temporaire	II - 27 - 105	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendments

Article 1(1)

- | | |
|---|---|
| <p>1. As from 3 October 1990, date of German unification, and to 31 December 1992, the customs duties applied to products covered by the ECSC Treaty, including the anti-dumping duties presently in force, and all other charges having equivalent effect, shall be suspended for products originating in Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the USSR or Yugoslavia covered by the agreements listed in Annexes I and II to Council Regulation (EEC) No. /90 up to the maximum quantities or values established by the said agreements.</p> | <p>1. As from 3 October 1990, date of German unification, and to 31 December 1992, the customs duties applied to products covered by the ECSC Treaty, including the anti-dumping duties presently in force, and all other charges having equivalent effect, shall be suspended for products originating in Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the USSR or Yugoslavia covered by the agreements listed in Annexes I and II to Council Regulation (EEC) No. /90 up to the maximum quantities or values established by the said agreements, <u>details of which shall be published in the Official Journal of the European Communities.</u></p> |
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EUROPEAN PARLIAMENT

A3-0314/90/5

Amendment to Doc. (C3-365/90-3)

Title: **Draft text of a directive on transitional measures applicable in Germany in the context of the harmonization of technical rules to which the Council has given sympathetic consideration**

Proposal number: (COM(90) 400/7 - Doc. C3-265/90-4)
 by: **Mr Alan DONNELLY**

	Code Amendement	S.Pl.
Com. Permanente	II- -	
Com. Temporaire	II- 27 -	
Autres	II - COMP - 003	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text

Amendment

Final recital

Whereas the information available on the situation regarding the rules and regulations in force and regarding industry in the territory of the former German Democratic Republic is such that it is not possible to establish definitively the extent of the derogations; whereas, so that account can be taken of developments in that situation, a simplified procedure must be set up in accordance with the third indent of Article 145 of the Treaty for the purpose of adopting and administering the derogations.

Whereas the information available on the situation regarding the rules and regulations in force and regarding industry in the territory of the former German Democratic Republic is such that it is not possible to establish definitively the extent of the derogations; whereas, so that account can be taken of developments in that situation, a simplified procedure must be set up in accordance with the third indent of Article 145 of the Treaty for the purpose of adapting and administering the derogations.

EUROPEAN PARLIAMENT

A3-0314/90/6

Amendment to Doc. C3-365/90-3

Title: Draft text of a directive on transitional measures applicable in Germany in the context of the harmonization of technical rules for certain products to which the Council has given sympathetic consideration

Proposal No.: COM(90) 400/7 - C3-265/90

by: the Temporary Committee to consider the impact of the process of German unification on the European Community

	Code Amendement	S.Pl.
Com. Permanente	II - -	33
Com. Temporaire	II - 27 - 106	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendment

Recital 5a (new)

Whereas such delegation of powers must be accompanied by adequate democratic accountability; whereas regular information must be provided to the European Parliament on the evolution of the situation; whereas, moreover, all proposed additional adapting measures and/or derogations should be submitted to the European Parliament at the same time as to the Committee mentioned in Article 5, so that the Parliament can give its views before any final decision;

EUROPEAN PARLIAMENT

A3-0314/90/7

Amendment to Doc. C3-365/90-3

Title: Draft text of a directive on transitional measures applicable in Germany in the context of the harmonization of technical rules for certain products to which the Council has given sympathetic consideration

Proposal No.: COM(90) 400/7 - C3-265/90

by: the Temporary Committee to consider the impact of the process of German Unification on the European Community (taken over from the Committee on the Environment, Public Health and Consumer Protection)

	Code Amendement	S.Pl.
Com. Permanente	II - 11 -	34
Com. Temporaire	II - 27 - 107	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendment

Article 1(1)

By way of derogation from the Directives listed in the Annex, Germany is authorized to maintain in force in the territory of the former German Democratic Republic the existing rules and regulations in respect of products which have been or which are manufactured there, on condition that this does not affect the placing on the market and the free movement in that territory of products complying with Community Directives.

Except where the health or safety of the population could be put at risk, by way of derogation from the Directives listed in the Annex, Germany is authorized to maintain in force in the territory of the former German Democratic Republic the existing rules and regulations in respect of products which have been or which are manufactured there, on condition that this does not affect the placing on the market and the free movement in that territory of products complying with Community Directives.

EUROPEAN PARLIAMENT

A3-0314/90/8

Amendment to Doc. C3-365/90-3

Title: Draft text of a directive on transitional measures applicable in Germany in the context of the harmonization of technical rules for certain products to which the Council has given sympathetic consideration

Proposal No.: COM(90) 400/7 - C3-265/90

by: the Temporary Committee to consider the impact of the process of German unification on the European Community (taken over from the Committee on the Environment, Public Health and Consumer Protection)

	Code Amendement	S.Pl.
Com. Permanente	II - -	35
Com. Temporaire	II - 27 - 108	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendment

Article 1(3)

3. The German authorities may extend the derogations provided for in paragraphs 1 and 2 to include products covered by the agreements referred to in Annexes 1 and 2 to Council Regulation (EEC) No. /90. Such measures shall be taken within the limits of the maximum quantities and values laid down in the said agreements and to satisfy the market requirements of the former German Democratic Republic.

3. The German authorities may extend the derogations provided for in paragraphs 1 and 2 to include products covered by the agreements referred to in Annexes 1 and 2 to Council Regulation (EEC) No. /90. Such measures shall be taken within the limits of the maximum quantities and values laid down in the said agreements and to satisfy the market requirements of the former German Democratic Republic.

The extensions will be reported to the Commission which may refer them for review to the Committee mentioned in Article 5, without prejudice to the procedures in Article 5(a). The European Parliament shall also be informed in time for it to give its views before any final decision by the Commission.

EUROPEAN PARLIAMENT

A3-0314/90/9

Amendment to Doc. C3-365/90-3

Title: Draft text of a directive on transitional measures applicable in Germany in the context of the harmonization of technical rules for certain products to which the Council has given sympathetic consideration

Proposal number: (COM(90) 400/7 - C3-265/90)

by: the Temporary Committee to consider the impact of the process of German Unification on the European Community

	Code Amendement	S.Pl.
Com. Permanente	II - -	
Com. Temporaire	II - 27 - 109	
Autres	I - CT - 203	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendment

Article 2(3)

Any Member State may refer any difficulties to the Commission. The Commission shall, as a matter of urgency, examine the question and submit its conclusions, possibly accompanied by appropriate measures. Such measures shall be adopted according to the procedure laid down in Article 5.

Any Member State may refer any difficulties to the Commission. The Commission shall, as a matter of urgency, examine the question and submit its conclusions, possibly accompanied by appropriate measures. Such measures shall be adopted according to the procedure laid down in Article 5, without prejudice to the procedures in Article 5(a). The European Parliament will be informed.

EUROPEAN PARLIAMENT

A3-0314/90/10

Amendment to Doc. (C3-365/90-3)

Title: Draft text of a directive on transitional measures applicable in Germany in the context of the harmonization of technical rules to which the Council has given sympathetic consideration

Proposal number: (COM(90) 400/7 - Doc. C3-265/90-4)
by: Mr Alan DONNELLY

	Code Amendement	S.Pl.
Com. Permanente	II- -	
Com. Temporaire	II- 27 -	
Autres	II - COMP - 004	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text

1. Measures to fill obvious loopholes and to make technical adjustments to those provided for in this Directive may be adopted in accordance with the procedure laid down in Article 5.
2. Supplementing and adjusting measures must be designed to ensure coherent application of Community rules in the sector covered by this Directive in the territory of the former German Democratic Republic with due regard for the specific circumstances in that territory and the special difficulties involved in the application of those rules.

Amendment

1. Technical adjustments and adaptations to fill obvious gaps and to make other modifications to the measures provided for in this Directive may be adopted in accordance with the procedure laid down in Article 5.
2. Any measures must be designed to ensure coherent application of Community rules in the sector covered by this Directive in the territory of the former German Democratic Republic with due regard for the specific circumstances in that territory and the special difficulties involved in the application of those rules.

Com. Permanente II - -
Com. Temporaire II - 27 -
Autres I COMP 004

They must be consistent with the principles of those rules, and be closely related to one of the derogations provided for by this Directive.

They must be consistent with the principles of those rules, and be closely related to one of the derogations provided for by this Directive.

EUROPEAN PARLIAMENT

A3-0314/90/11

Amendment to Doc. C3-365/90-3

Title: Draft text of a directive on transitional measures applicable in Germany in the context of the harmonization of technical rules for certain products to which the Council has given sympathetic consideration

Proposal No.: COM(90) 400/7 - C3-0265/90

by: the Temporary Committee to consider the impact of the process of German unification on the European Community

	Code Amendement	S.Pl.
Com. Permanente	II- -	39
Com. Temporaire	I - 27 - 110	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendment

Article 5

For the purposes of Article 2(3) and Article 4, the Commission shall be assisted by a committee composed of the representatives of the Member States and chaired by the representative of the Commission.

For the purposes of Article 2(3) and Article 4, the Commission shall be assisted by a committee composed of the representatives of the Member States and chaired by the representative of the Commission.

The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148(2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in the Article. The chairman shall not vote.

The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148(2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in the Article. The chairman shall not vote.

The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the committee.

If the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of a period of one month from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission.

The Commission shall adopt measures which shall enter into effect immediately. However, if these measures are not in accordance with the opinion of the committee, the Commission shall notify the Council of them without delay. In this case:

the Commission may postpone the application of the measures it has adopted for a period not exceeding one month from the date of notification;

the Council, acting by qualified majority, may take a different decision within the period of time provided for in the preceding paragraph.

EUROPEAN PARLIAMENT

A3-0314/90/12

Amendment to Doc. C3-365/90-3

Title: Draft text of a proposal on transitional measures applicable in Germany in the context of the harmonization of technical rules for certain products to which the Council has given sympathetic consideration

Proposal number: (COM(90) 400/7 - C3-265/90)

by: the Temporary Committee to consider the impact of the process of German unification on the European Community

	Code Amendement	S.Pl.
Com. Permanente	II- -	
Com. Temporaire	II- 27 - 111	
Autres	I - CT - 204	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendment

Article 5a (new)

If the Commission or a Member State considers that a matter raised pursuant to Article 2(3) or Article 4 of the present Directive poses an important question of principle the Commission shall submit a proposal under normal legislative procedure for adoption by the Council after consultation of the European Parliament.

EUROPEAN PARLIAMENT

A3-0314/90/13

Amendment to Doc. C3-365/90-7

Title: Draft text of a regulation laying down amendments for the purpose of implementing in Germany Regulation (EEC) No. 3044/89 on the organization of a labour force sample survey in the spring of 1990 and 1991 to which the Council has given sympathetic consideration

Proposal number: C3-0271/90 - COM(90) 400/13
by: the Committee on Budgets

	Code Amendement	S.Pl.
Com. Permanente	II - 03 -	043
Com. Temporaire	II - 27 - 112	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendments

After the last recital

Whereas, with respect to its financial consequences, this Regulation can only be implemented through revision of the financial perspective and adjustment of the annual budget, which will allow the budgetary authority to enter the amounts necessary to cover its financial impact during the course of the budgetary procedure.

EUROPEAN PARLIAMENT

A3-0314/90/14

Amendment to Doc. C3-365/90-8

Title: Draft text of a regulation on derogations in respect of agricultural statistical surveys in Germany in connection with the unification of Germany to which the Council has given sympathetic consideration

Proposal number: C3-0272/90 - COM(90)400/14
by: the Committee on Budgets

	Code Amendement	S.Pl.
Com. Permanente	II - 03 -	044
Com. Temporaire	II - 27 - 113	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendments

After the last recital

Whereas, with respect to its financial consequences, this Regulation can only be implemented through revision of the financial perspective and adjustment of the annual budget, which will allow the budgetary authority to enter the amounts necessary to cover its financial impact during the course of the budgetary procedure.

EUROPEAN PARLIAMENT

A3-0314/90/15

Amendment to Doc. C3-365/90-8

Title: Draft text of a regulation on derogations in respect of agricultural statistical surveys in Germany in connection with the unification of Germany to which the Council has given sympathetic consideration

Proposal No.: COM(90) 400/14 - C3-272/90

by: the Temporary Committee to consider the impact of the process of German unification on the European Community

	Code Amendement	S.Pl.
Com. Permanente	II - -	45
Com. Temporaire	I - 27 - 114	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendment

Article 4(2)

The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148(2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in that Article. The Chairman shall not vote.

The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148(2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in that Article. The Chairman shall not vote.

Com. Permanente II - - 45
Com. Temporaire II - 27 - 114
Autres I .

The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the committee.

If the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of a period of three months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission.

The Commission shall adopt measures which shall enter into effect immediately. However, if these measures are not in accordance with the opinion of the committee, the Commission shall notify the Council of them without delay. In this case:

the Commission may postpone the application of the measures it has adopted for a period not exceeding one month from the date of notification;

the Council, acting by qualified majority, may take a different decision within the period of time provided for in the preceding paragraph.

EUROPEAN PARLIAMENT

A3-0314/90/16

Amendment to Doc. C3-0365/90/17

Title: Draft text for a regulation on the transitional measures and adjustments required in the agricultural sector as a result of the integration of the territory of the former GDR into the Community to which the Council has given sympathetic consideration

Proposal No.: COM(90) 0400/15 - C3-0273/90
by: the Committee on Agriculture, Fisheries and Rural Development

	Code Amendement	S.Pl.
Com. Permanente	II - 02 -	47
Com. Temporaire	I - 27 - 115	
Autres	I - - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendments

Fourth recital a (new)

Whereas a harmonious transition must be guaranteed both for agriculture and those hitherto employed in agriculture in the territory of the former GDR; whereas harmonious transitional rules should therefore be established; whereas care will also have to be taken at all times to ensure that, in their impact on other Community producers, these rules cause as little upheaval as possible and do not endanger the objectives of Article 39 of the Treaty;

EUROPEAN PARLIAMENT

A3-0314/90/17

Amendment to Doc. C3-0365/90-17

Title: Draft text of a regulation on the transitional measures and adjustments required in the agricultural sector as a result of the integration of the territory of the former GDR into the Community to which the Council has given sympathetic consideration

Proposal number: C3-0273/90 - COM(90)400/15
by: the Committee on Budgets

	Code Amendement	S.Pl.
Com. Permanente	II - 03 -	056
Com. Temporaire	II - 27 - 117	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendments

After the last recital

Whereas, with respect to its financial consequences, this Regulation can only be implemented through revision of the financial perspective and adjustment of the annual budget, which will allow the budgetary authority to enter the amounts necessary to cover its financial impact during the course of the budgetary procedure.

EUROPEAN PARLIAMENT

A3-0314/90/18

Amendment to Doc. C3-0365/90-17

Title: Draft text for a regulation on the transitional measures and adjustments required in the agricultural sector as a result of the integration of the territory of the former GDR into the Community to which the Council has given sympathetic consideration

Proposal No.: COM(90) 0400/15 - C3-0273/90

by: the Committee on Agriculture, Fisheries and Rural Development

	Code Amendement	S.Pl.
Com. Permanente	II - 02 -	59
Com. Temporaire	I - 27 - 118	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendments

Article 10

Germany shall notify to the Commission, at the earliest opportunity, the measures taken pursuant to the authorizations provided for in this Regulation.

On the expiry of the periods of application of the transitional measures Germany shall draw up a report on their application, which shall be submitted to the Commission which shall forward it to the other Member States.

Germany shall notify to the Commission, at the earliest opportunity, the measures taken pursuant to the authorizations provided for in this Regulation.

On the expiry of the periods of application of the transitional measures Germany shall draw up a report on their application, which shall be submitted to the Commission which shall forward it to Parliament and to the other Member States.

EUROPEAN PARLIAMENT

A3-0314/90/19

Amendment to Doc. C3-0365/90-17

Title: Draft text for a regulation on the transitional measures and adjustments required in the agricultural sector as a result of the integration of the territory of the former GDR into the Community to which the Council has given sympathetic consideration

Proposal No.: COM(90) 0400/15 - C3-0273/90
by: the Committee on Agriculture, Fisheries and Rural Development

	Code Amendement	S.Pl.
Com. Permanente	II - 02 -	63
Com. Temporaire	I - 27 - 119	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration Amendments

ANNEX VI

IV(4) (Regulation (EEC) 857/84)

3. The following subparagraph is added to Article 7(1):
'To allow restructuring of milk production in the territory of the former German Democratic Republic and notwithstanding the preceding subparagraphs, Germany may authorize, during the eighth 12-month period, within the limits of a framework programme to be drawn up for the said territory, the transfer of reference quantities without the transfer of the corresponding land. Such a transfer may take place no more than once. In this connection, Germany shall notify to the Commission the framework programme for the said territory. The programme shall be appraised in accordance with the procedure laid down in Article 31 of Regulation (EEC) No. 804/68.'

3. The following subparagraph is added to Article 7(1):
'To allow restructuring of milk production in the territory of the former German Democratic Republic and notwithstanding the preceding subparagraphs, Germany may authorize, during the eighth 12-month period, within the limits of a framework programme to be drawn up for the said territory, the transfer of reference quantities between producers in the territory of the former GDR without the transfer of the corresponding land. Such a transfer may take place no more than once. In this connection, Germany shall notify to the Commission the framework programme for the said territory. The programme shall be appraised in accordance with the procedure laid down in Article 31 of Regulation (EEC) No. 804/68.'

EUROPEAN PARLIAMENT

A3-0314/90/20

Amendment to Doc. C3-0365/90-17

Title: Draft text for a regulation on the transitional measures and adjustments required in the agricultural sector as a result of the integration of the territory of the former GDR into the Community to which the Council has given sympathetic consideration

Proposal No.: COM(90) 0400/15 - C3-0273/90
 by: the Committee on Agriculture, Fisheries and Rural Development

	Code Amendement	S.Pl.
Com. Permanente	II - 02 -	62
Com. Temporaire	I - 27 - 120	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration Amendments

ANNEX VI-V
 Article 4a(a) of Regulation (EEC) 1336/86

(a) the reduction in milk production must be 204 120 t and must be effective by 31 March 1991 at the latest.

(a) the reduction in milk production must be 704 120 t and must be effective by 31 March 1991 for half the quantity and 31 March 1992 for the total.

EUROPEAN PARLIAMENT

A3-0314/90/21

Amendment to Doc. C3-0365/90-17

Title: Draft text for a regulation on the transitional measures and adjustments required in the agricultural sector as a result of the integration of the territory of the former GDR into the Community to which the Council has given sympathetic consideration

Proposal No.: COM(90) 0400/15 - C3-0273/90

by: the Committee on Agriculture, Fisheries and Rural Development

	Code Amendement	S.Pl.
Com. Permanente	II - 02 -	66
Com. Temporaire	I - 27 - 121	
Autres	I - - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration Amendments

ANNEX VII(1)

Last sentence of Article 6(1) of Regulation (EEC) 805/68

In the last sentence of Article 6(1) the quantity '220 000 tonnes' is replaced by '235 000 tonnes'.

In the last sentence of Article 6(1) the quantity '220 000 tonnes' is replaced by '245 000 tonnes'.

EUROPEAN PARLIAMENT

A3-0314/90/22

Amendment to Doc. C3-0365/90-17

Title: Draft text for a regulation on the transitional measures and adjustments required in the agricultural sector as a result of the integration of the territory of the former GDR into the Community to which the Council has given sympathetic consideration

Proposal No.: COM(90) 0400/15 - C3-0273/90
by: the Committee on Agriculture, Fisheries and Rural Development

	Code Amendement	S.Pl.
Com. Permanente	II - 02 -	74
Com. Temporaire	I - 27 - 124	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration Amendments

ANNEX XV

Article 32b(1)(i) of Regulation (EEC) 797/85 (new)

In the context of the rationalization of agriculture in the territory of the former GDR, Germany shall grant special priority to environmental protection programmes and programmes for the introduction of less intensive farming methods.

EUROPEAN PARLIAMENT

A3-0314/90/23

Amendment to Doc. C3-365/90-10

Title: Draft text of a Directive on the transitional measures and the adjustments required to the directives on plant health, seeds, plants and animal feedingstuffs and to the veterinary and zootechnical legislation to which the Council has given sympathetic consideration

Proposal number: C3-0274/90 - COM(90)400/16
by: the Committee on Budgets

	Code Amendement	S.Pl.
Com. Permanente	II - 03 -	078
Com. Temporaire	II - 27 - 126	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has
given sympathetic consideration

Amendments

After the last recital

Whereas, with respect to its financial consequences, this Regulation can only be implemented through revision of the financial perspective and adjustment of the annual budget, which will allow the budgetary authority to enter the amounts necessary to cover its financial impact during the course of the budgetary procedure.

EUROPEAN PARLIAMENT

A3-0314/90/24

Amendment to Doc. C3-365/90-11

Title: Draft text of a regulation introducing various measures concerning the implementation of the common fisheries policy in the former GDR to which the Council has given sympathetic consideration

Proposal number: C3-0275/90 - COM(90)400/17
by: the Committee on Budgets

	Code Amendement	S.Pl.
Com. Permanente	II - 03 -	083
Com. Temporaire	II - 27 - 127	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has
given sympathetic consideration

Amendments

After the last recital

Whereas, with respect to its financial consequences, this Regulation can only be implemented through revision of the financial perspective and adjustment of the annual budget, which will allow the budgetary authority to enter the amounts necessary to cover its financial impact during the course of the budgetary procedure.

EUROPEAN PARLIAMENT

A3-0314/90/25

Amendment to Doc. C3-365/90-11

Title: Draft text of a regulation on the transitional measures and adjustments required in the agricultural sector as a result of the integration of the territory of the former GDR into the Community to which the Council has given sympathetic consideration

Proposal number: C3-0275/90 - COM(90) 400/17

by: the Temporary Committee to consider the impact of the process of German Unification on the European Community

	Code Amendement	S.Pl.
Com. Permanente	II - -	168
Com. Temporaire	II - - 128	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendment

Article 2(a) (new)

The German authorities shall proceed as speedily as possible with adoption of the plan for the former GDR fleet and for improving marketing and processing conditions for fisheries and aquaculture products in Germany, so as to enable this plan to enter into force as speedily as possible, and not later than 30 June 1991.

EUROPEAN PARLIAMENT

A3-0314/90/26

Amendment to Doc. C3-365/90-13

Title: Draft text of a regulation amending, as a result of German unification, certain directives, decisions and regulations relating to transport by road, rail and inland waterway to which the Council has given sympathetic consideration

Proposal number: C3-0277/90 - COM(90)400/19
by: the Committee on Budgets

	Code Amendment	S.Pl.
Com. Permanente	II - 03 -	093
Com. Temporaire	II - 27 - 129	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendments

After the last recital

Whereas, with respect to its financial consequences, this Regulation can only be implemented through revision of the financial perspective and adjustment of the annual budget, which will allow the budgetary authority to enter the amounts necessary to cover its financial impact during the course of the budgetary procedure.

EUROPEAN PARLIAMENT

A3-0314/90/27

Amendment to Doc. (C3-365/90-13)

Title: Draft text of a directive on transitional measures applicable in Germany in the context of the harmonization of technical rules to which the Council has given sympathetic consideration

Proposal number: (COM(90) 400/19 - Doc. C3-277/90)
by: Mr Alan DONNELLY

	Code Amendement	S.Pl.
Com. Permanente	II- -	
Com. Temporaire	II- -	
Autres	II - COMP - 005	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft Text

Article 9

Amendment

1. Supplementary measures to make good obvious deficiencies and to make technical adjustments to those provided for in this Directive may be adopted in accordance with the procedure laid down in Article 10.
2. Supplementing and adjusting measures must be designed to ensure coherent application of Community rules in the sector covered by this Directive in the territory of the former German Democratic Republic with due regard for the specific circumstances in that territory and the special difficulties involved in the application of those rules.

1. Technical adjustments and adaptations to make good obvious deficiencies and to make other modifications to the measures provided for in this Directive may be adopted in accordance with the procedure laid down in Article 10.
2. Any measures must be designed to ensure coherent application of Community rules in the sector covered by this Directive in the territory of the former German Democratic Republic with due regard for the specific circumstances in that territory and the special difficulties involved in the application of those rules.

Com. Permanente II - -
Com. Temporaire II - -
Autres I COMP 005

They must be consistent with the principles of those rules, and be closely related to one of the derogations provided for by this Directive.

They must be consistent with the principles of those rules, and be closely related to one of the derogations provided for by this Directive.

EUROPEAN PARLIAMENT

A3-0314/90/28

Amendment to Doc. C3-365/90-13

Title: Draft text of a Regulation amending, as a result of German unification, certain directives, decisions and regulations relating to transport by road, rail and inland waterway to which the Council has given sympathetic consideration

Proposal No.: COM(90) 400/19 - Doc. C3-0277/90
 by: the Temporary Committee to consider the impact of the process of German Unification on the European Community

	Code Amendement	S.Pl.
Com. Permanente	II - -	94
Com. Temporaire	II - 27 - 131	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendment

Article 10, 2nd, 3rd, 4th paragraphs

The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the committee.

The Commission shall adopt measures which shall enter into effect immediately. However, if these measures are not in accordance with the opinion of the committee, the Commission shall notify the Council of them without delay. In this case:

If the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

the Commission may postpone the application of the measures it has adopted for a period not exceeding one month from the date of notification;

If, on the expiry of a period of three months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission.

the Council, acting by qualified majority, may take a different decision within the period of time provided for in the preceding paragraph.

EUROPEAN PARLIAMENT

A3-0314/90/29

Amendment to Doc. C3-365/90-13

Title: Draft text of a regulation amending, as a result of German unification, certain directives, decisions and regulations relating to transport by road, rail and inland waterway to which the Council has given sympathetic consideration

Proposal number: C3-0277/90 - COM(90)400/19

by: the Temporary Committee to consider the impact of the process of German Unification on the European Community

	Code Amendement	S.Pl.
Com. Permanente	II - -	
Com. Temporaire	II - 27 - 132	
Autres	I - CT - 206	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendments

New Article 10a

If the Commission or a Member State considers that a matter raised pursuant to Article 9 of the present Directive poses an important question of principle the Commission shall submit a proposal under normal legislative procedures for adoption by the Council after consultation of the European Parliament.

EUROPEAN PARLIAMENT

A3-0314/90/30

Amendment to Doc. C3-365/90-14

Title: Draft text of a regulation amending, as a result of German unification, regulation (EEC) No. 4055/86 applying the principle of freedom to provide services to maritime transport between Member States and between Member States and third countries to which the Council has given sympathetic consideration

Proposal number: C3-0278/90 - COM(90)400/20
by: the Committee on Budgets

	Code Amendement	S.Pl.
Com. Permanente	II - 03 -	095
Com. Temporaire	II - 27 - 133	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendments

After the last recital

Whereas, with respect to its financial consequences, this Regulation can only be implemented through revision of the financial perspective and adjustment of the annual budget, which will allow the budgetary authority to enter the amounts necessary to cover its financial impact during the course of the budgetary procedure.

EUROPEAN PARLIAMENT

A3 0314/90/31

Amendment to Doc. C3-365/90-15

Title: Draft text of Regulation introducing a transitional period for the implementation of certain Community acts in the energy sector to which the Council has given sympathetic consideration

Proposal No.: C3-0279/90 - COM(90)400/21

by: the Temporary Committee to consider the impact of the process of German Unification on the European Community

	Code Amendement	S.Pl.
Com. Permanente	II - -	98
Com. Temporaire	II - 27 - 134	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendment

Recital 5a (new)

Whereas the nuclear power stations of the former GDR are being decommissioned; whereas their characteristics are different to those elsewhere within the Community; whereas the dismantling process should be subject to the most rigorous safeguards; whereas it appears, therefore, to be necessary to include the decommissioned nuclear power stations of the former GDR within the framework of decision 239/89 EEC establishing a research programme for the dismantling of nuclear power stations within the EEC (OJ L 98 of 11.4.89, p. 33); whereas the Commission at the moment of the planned revision of the above-mentioned programme should propose wider cooperation with other European countries as regards the dismantling of decommissioned power stations of similar type.

EUROPEAN PARLIAMENT

A3-0314/90/32

Amendment to Doc. C3-365/90-15

Title: Draft text of a Regulation introducing a transitional period for the implementation of certain Community acts in the energy sector to which the Council has given sympathetic consideration

Proposal No.: C3-0279/90 - COM(90)400/21

by: the Temporary Committee to consider the impact of the process of German Unification on the European Community

	Code Amendement	S.Pl.
Com. Permanente	II - -	99
Com. Temporaire	II - 27 - 135	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendment

Recital 5b (new)

Whereas every effort should be made to encourage the wider use of renewable energies within the territory of the former GDR.

EUROPEAN PARLIAMENT

A3-0314/90/33

Amendment to Doc. C3-365/90-15

Title: Draft text of a regulation introducing a transitional period for the implementation of certain Community acts in the energy sector to which the Council has given sympathetic consideration

Proposal number: C3-0279/90 - COM(90)400/21
by: the Committee on Budgets

	Code Amendement	S.Pl.
Com. Permanente	II - 03 -	100
Com. Temporaire	II - 27 - 136	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendments

After the last recital

Whereas, with respect to its financial consequences, this Regulation can only be implemented through revision of the financial perspective and adjustment of the annual budget, which will allow the budgetary authority to enter the amounts necessary to cover its financial impact during the course of the budgetary procedure.

EUROPEAN PARLIAMENT

A3-0314/90/34

Amendment to Doc. C3-365/90-15

Title: Draft text of Regulation introducing a transitional period for the implementation of certain Community acts in the energy sector to which the Council has given sympathetic consideration

Proposal No.: C3-0279/90 - COM(90)400/21

by: the Temporary Committee to consider the impact of the process of German Unification on the European Community

	Code Amendement	S.Pl.
Com. Permanente	II - -	101
Com. Temporaire	II - 27 - 137	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendment

Article 2a (new)

Council decision 239/90 EEC is to apply to the dismantling of decommissioned nuclear power stations within the territory of the former GDR as from 1 January 1991.

EUROPEAN PARLIAMENT

AJ-0314/90/35

Amendment to Doc. C3-365/90-15

Title: Draft text of a Regulation introducing a transitional period for the implementation of certain Community acts in the energy sector to which the Council has given sympathetic consideration

Proposal No.: C3-0279/90 - COM(90)400/21

by: the Temporary Committee to consider the impact of the process of German Unification on the European Community

	Code Amendement	S.Pl.
Com. Permanente	II - -	103
Com. Temporaire	II - 27 - 138	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendment

Article 2b (new)

Germany is hereby authorised to promote, on the territory of the former GDR, use of all sources of renewable energy, within the context of European Community energy policy and without creating distortions of the internal energy market in other parts of the Community. In this context a survey shall be undertaken within one year of the potential for harnessing energy from renewable energy sources in the territory of the former German Democratic Republic.

EUROPEAN PARLIAMENT

A3-0314/90/36

Amendment to Doc. C3-365/90-16

Title: Draft text of a Directive on the transitional measures applicable in Germany with regard to certain Community provisions relating to the protection of the environment to which the Council has given sympathetic consideration

Proposal No.: COM (90) 400/25 - Doc. C3-0283/90
by: the Temporary Committee to consider the impact of the process of German Unification on the European Community

	Code Amendement	S.Pl.
Com. Permanente	II - -	147
Com. Temporaire	II - 27 - 139	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendment

Recital 9a (new)

Whereas such delegation of powers must be accompanied by adequate democratic accountability; whereas regular information must be submitted to the European Parliament on the evolution of the situation; whereas, moreover, any proposed additional adapting measures and/or derogations should be submitted to the European Parliament at the same time as to the relevant committee so that it can give its views before any final decision.

EUROPEAN PARLIAMENT

A3-0314/90/37

Amendment to Doc. C3-365/90-16

Title: Draft text of a directive on the transitional measures applicable in Germany with regard to certain Community provisions relating to the protection of the environment

Proposal number: C3-0283/90 - COM(90)400/25
by: the Committee on Budgets

	Code Amendement	S.Pl.
Com. Permanente	II - 03 -	148
Com. Temporaire	II - 27 - 140	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendments

After the last recital

Whereas, with respect to its financial consequences, this Regulation can only be implemented through revision of the financial perspective and adjustment of the annual budget, which will allow the budgetary authority to enter the amounts necessary to cover its financial impact during the course of the budgetary procedure.

EUROPEAN PARLIAMENT

AJ-0314/90/38

Amendment to Doc. C3-365/90-16

Title: Draft text of a directive on the transitional measures applicable in Germany with regard to certain Community provisions relating to the protection of the environment to which the Council has given sympathetic consideration

Proposal number: COM(90) 400/25 - C3-283/90

by: Mrs ROTH-BEHRENDT, on behalf of the Committee on the Environment, Public Health and Consumer Protection

	Code Amendement	S.Pl.
Com. Permanente	II - 11 - 204	
Com. Temporaire	II - 27 - 141	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendments

Article 15a

1. By way of derogation from Article 8 of Council Directive 75/442/EEC and Article 9 of Council Directive 78/319/EEC, Germany shall be authorized, except in the case of new installations, to take the measures necessary to ensure compliance with these obligations in the territory of the former German Democratic Republic by 31 December 1995 at the latest. Deleted
2. Germany shall submit to the Commission no later than 31 December 1991 improvement plans which conform to the requirements laid down in Article 6 of Directive 75/442/EEC and Article 12 of Directive 78/319/EEC and which enable the deadline referred to in paragraph 1 to be met. Deleted

EUROPEAN PARLIAMENT

A3-0314/90/39

Amendment to Doc. C3-365/90-16

Title: Draft text of a directive on the transitional measures applicable in Germany with regard to certain Community provisions relating to the protection of the environment to which the Council has given sympathetic consideration

Proposal number: COM(90) 400/25 - C3-283/90

by: Mrs ROTH-BEHRENDT, on behalf of the Committee on the Environment, Public Health and Consumer Protection

	Code Amendement	S.Pl.
Com. Permanente	II - 11 - 202	
Com. Temporaire	II - 27 - 142	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendments

Article 16

Germany shall forthwith inform the Commission of the measures taken pursuant to Articles 1 to 15a, which the Commission shall communicate to the other Member States and to the European Parliament.

Germany shall forthwith inform the Commission of the measures taken pursuant to Articles 1 to 15, which the Commission shall communicate to the other Member States and to the European Parliament.

EUROPEAN PARLIAMENT

A1 0314/90/40

Amendment to Doc. (C3-365/90-16)

Title: Draft text of a directive on transitional measures applicable in Germany in the context of the harmonization of technical rules to which the Council has given sympathetic consideration

Proposal number: (COM(90) 400/25 - Doc. C3-283/90)
by: Mr Alan DONNELLY

	Code Amendement	S.Pl.
Com. Permanente	II- -	
Com. Temporaire	II- -	
Autres	II - COMP - 006	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft Text

Article 17

Amendment

1. Supplementary measures to make good obvious deficiencies and to make technical adjustments to those provided for in this Directive may be adopted.

2. Supplementing and adjusting measures must be designed to ensure coherent application of Community rules in the sector covered by this Directive in the territory of the former German Democratic Republic with due regard for the specific circumstances in that territory and the special difficulties involved in the application of those rules.

1. Technical adjustments and adaptations to make good obvious deficiencies and to make other modifications to the measures provided for in this Directive may be adopted.

2. Any measures must be designed to ensure coherent application of Community rules in the sector covered by this Directive in the territory of the former German Democratic Republic with due regard for the specific circumstances in that territory and the special difficulties involved in the application of those rules.

Com. Permanente II - -
Com. Temporaire II - -
Autres I COMP 006

They must be consistent with the principles of those rules, and be closely related to one of the derogations provided for by this Directive.

They must be consistent with the principles of those rules, and be closely related to one of the derogations provided for by this Directive.

EUROPEAN PARLIAMENT

AJ 0.114/90/41

Amendment to Doc. C3-365/90-16

Title: Draft text of a directive on the transitional measures applicable in Germany with regard to certain Community provisions relating to the protection of the environment to which the Council has given sympathetic consideration

Proposal number: COM(90) 400/25 - C3-283/90

by: Mrs ROTH-BEHRENDT, on behalf of the Committee on the Environment, Public Health and Consumer Protection

	Code Amendement	S.Pl.
Com. Permanente	II - 11 - 203	
Com. Temporaire	II - 27 - 143	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendments

Article 17(3), last indent

- as regards Article 15a, in accordance with the procedure provided for in Article 19 of Directive 78/319/EEC. Delete

EUROPEAN PARLIAMENT

A3-0314/90/42

Amendment to Doc. C3-365/90-16

Title: Draft text of a Directive on the transitional measures applicable in Germany with regard to certain Community provisions relating to the protection of the environment to which the Council has given sympathetic consideration

Proposal No.: COM (90) 400/25 - Doc. C3-0283/90
 by: the Temporary Committee to consider the impact of the process of German Unification on the European Community

	Code Amendement	S.Pl.
Com. Permanente	II - -	165
Com. Temporaire	II - 27 - 144	
Autres	I - -	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendment

Article 17, paragraph 4, insert three subparagraphs

The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the committee.

The Commission shall adopt measures which shall enter into effect immediately. However, if these measures are not in accordance with the opinion of the committee, the Commission shall notify the Council of them without delay. In this case:

If the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

the Commission may postpone the application of the measures it has adopted for a period not exceeding one month from the date of notification;

If, on the expiry of a period of three months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission.

The Council, acting by a qualified majority, may take a different decision within the period of time provided for in the preceding paragraph.

EUROPEAN PARLIAMENT

A3-0314/90/43

Amendment to Doc. C3-365/90-16

Title: Draft text of a directive on the transitional measures applicable in Germany with regard to certain Community provisions relating to the protection of the environment to which the Council has given sympathetic consideration

Proposal number: C3-0283/90 - COM(90)400/25

by: the Temporary Committee to consider the impact of the process of German unification on the European Community

	Code Amendement	S.Pl.
Com. Permanente	II - -	
Com. Temporaire	II - 27 - 145	
Autres	I - CT - 208	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendment

New Article 17(4)(a)

If the Commission or a Member State considers that a matter raised pursuant to this Article poses an important question of principle the Commission shall submit a proposal under normal legislative procedures for adoption by the Council after consultation of the European Parliament.

EUROPEAN PARLIAMENT

A3-0314/90/44

Amendment to Doc. C3-365/90-16

Title: Draft text of a directive on the transitional measures applicable in Germany with regard to certain Community provisions relating to the protection of the environment to which the Council has given sympathetic consideration

Proposal number: C3-0283/90 - COM(90)400/25

by: the Temporary Committee to consider the impact of the process of German Unification on the European Community

	Code Amendement	S.Pl.
Com. Permanente	II - -	
Com. Temporaire	II - - 146	
Autres	I - CT - 209	
Avis Com. Temp.	I	I
Vote Séance Pl.	II	II

Draft text to which the Council has given sympathetic consideration

Amendment

New Article 17(6)

Where it proves essential to postpone a time-limit laid down in this Directive for application of a derogation, the date in question may be postponed in accordance with the procedure laid down in paragraphs 3 or 4, but not beyond 31 December 1995.

Where it proves essential to postpone a time-limit laid down in this Directive for application of a derogation, the date in question may be postponed in accordance with the procedure laid down in paragraphs 3, 4 or 4a, but not beyond 31 December 1995.

DRAFT LEGISLATIVE RESOLUTION
(Consultation procedure: new opinion)

embodying the opinion of the European Parliament on the common positions of the Council on 'the Community and German unification'.

1. Regulation on tariff measures (C3-365/90-1)
2. Decision on ECSC products (assent) (C3-365/90-2)
3. Directive on harmonization of technical rules (C3-365/90-3)
4. Decision on consumer protection (C3-365/90-4)
5. Directive on aid for shipbuilding (C3-365/90-5)
6. Directive on statistics: transport, gas, electricity (C3-365/90-6)
7. Regulation on statistics: labour forces (C3-365/90-7)
8. Regulation on statistics: agriculture (C3-365/90-8)
9. Decision on aid for the steel industry (C3-365/90-9)
10. Directive on plant health (C3-365/90-10)
11. Regulation on fisheries: common policy (C3-365/90-11)
12. Decision on fisheries: Spitzbergen (C3-365/90-12)
13. Regulation on transport: Road, rail and inland waterway (C3-365/90-13)
14. Regulation on transport: Shipping (C3-365/90-14)
15. Regulation on energy (C3-365/90-15)
16. Directive on environment (C3-365/90-16)
17. Regulation on agriculture (C3-365/90-17)

The European Parliament,

- having regard to the Commission proposals to the Council (COM(90)400 final) and the amended proposals (COM(90)495 final),
- having regard to its resolutions of 24 October 1990 on the Commission proposals¹,
- having regard to the conclusions of the Presidents of the European Parliament, the Council of Ministers and the Commission on the procedures for adapting secondary Community legislation to the integration of the GDR in the Community of 6 September 1990²,
- having regard to the Joint Declaration of the European Parliament, the Council and the Commission on the institution of a conciliation procedure of 4 March 1975 and in particular Article 7 thereof³,
- having regard to the common positions of the Council forwarded on 7 November 1990 in the form of 'texts to which the Council has given sympathetic consideration' (Doc. C3-365/90),
- having regard to the report of the Temporary Committee to consider the impact of German unification on the European Community (A3-314/90),

¹ Docs. A3-0248/90 - A3-0240/90

² PE 143.416/Ann.

³ OJ No. C 89, 22 April 1975, p. 1

- having regard to the Commission position on the amendments adopted by Parliament,
- 1. Approves the Council's common position subject to Parliament's amendments and in accordance with the vote thereon;
- 2. Calls on the Commission to amend its proposals accordingly pursuant to Article 149(3) of the EEC Treaty;
- 3. Calls on the Council to adopt the legislative acts in accordance with the amendments adopted by Parliament;
- 4. Therefore waives the right to convene the Conciliation Committee referred to in Article 5 of the Joint Declaration of 4 March 1975 and agrees to close conciliation;
- 5. Instructs its President to forward this opinion to the Council and the Commission.