

# EUROPEAN PARLIAMENT



## *session documents*

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A4-0044/95/ANNEX



## OPINION

(Rule 147 of the Rules of Procedure)

for the Committee on External Economic Relations

on the proposal for a Council decision concluding the Agreement between the European Community and the Government of the United States of America regarding the application of their competition laws  
(1695/95 - C4-0052/94 - 94/0236(CNS))

Committee on Legal Affairs and Citizens' Rights

Draftsman: Mr Josep Verde I Aldea

\* Consultation procedure  
simple majority **DOC\_EN\RR\269\269685**

\*\*I Cooperation procedure (first reading)  
simple majority

\*\*II Cooperation procedure (second reading)  
simple majority 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 to give assent  
but simple majority under Articles 8a, 105, 106, 130d and 228 EC

\*\*\*I Codecision procedure (first reading) **PE 212.337/fin./Ann.**  
simple majority **es - Or. fr.**

\*\*\*II Codecision procedure (second reading)  
simple majority to approve the common position  
majority of Parliament's component Members to adopt a declaration of intended  
rejection of the common position, and amend the common position or confirm its rejection

\*\*\*III Codecision procedure (third reading)  
simple majority to approve the joint text  
majority of Parliament's component Members to reject the Council text

O P I N I O N

Letter from the Chairman of the Committee to Mr Willy de Clercq, Chairman of the  
Committee on External Economic Relations

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Strasbourg, 15 March 1995

Subject: Legal basis of the proposal for a Council decision concluding the Agreement between the European Community and the Government of the United States of America regarding the application of their competition laws  
(C4-0052/95 - 94/0236(CNS))

Dear Mr de Clercq

At its meeting of 14 March 1995 the Committee on Legal Affairs and Citizens' Rights considered the appropriateness of the legal basis proposed by the Council in its guideline on the above-mentioned proposal for a decision.

The Council added Art. 235 of the EC Treaty to the legal bases established by the original proposal, namely Articles 65 and 66 of the ECSC Treaty, together with Article 87 and the first indent of Article 228(3) of the EC Treaty.

Having heard the opinion of Mr Verde i Aldea, rapporteur, the Committee on Legal Affairs and Citizens' Rights decided<sup>1</sup> to reaffirm its opinion expressed on 11 January 1995. It considered that the aim of the agreement was to guarantee respect by the other Contracting Party for the Community rules of competition, and that Articles 65 and 66 of the ECSC Treaty and Article 87 and the first indent of Article 228(3) of the EC Treaty constituted the appropriate legal basis for this proposal; Article 235 was not therefore applicable in this case.

Yours sincerely,

Carlo Casini

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<sup>1</sup> The following were present for the vote: Casini, chairman; Rothley, vice-chairman, Verde i Aldea, rapporteur; Añoveros Trias de Bes (for Alber), Cot, Gebhardt, Hlavac, Janssen van Raay, McIntosh (for Stevens), Mosiek-Urbahn, Oddy, Ullmann, Wijzenbeek (for E. Rehn) and Zimmermann (for Medina Ortega).