

Protection of wild fauna and flora: regulating trade in species; Commission implementing powers

2008/0042(COD) - 23/04/2009 - Final act

PURPOSE: to introduce new implementing procedures concerning the protection of species of wild fauna and flora and recast Council Regulation (EC) No 338/97.

LEGISLATIVE ACT: Regulation (EC) No 398/2009 of the European Parliament and of the Council amending Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein, as regards the implementing powers conferred on the Commission

CONTENT: following a first reading agreement with the Parliament, the Council adopted this Regulation which recasts legislation on the protection of species of wild fauna and flora. Implementing powers conferred on the Commission will be exercised in accordance with Council Decision 1999/468/EC as amended by Council Decision 2006/512/EC, which introduced the regulatory procedure with scrutiny for the adoption of measures of general scope and designed to amend non-essential elements of a basic instrument adopted in accordance with the codecision procedure. Accordingly, the Commission will adopt certain implementing measures in accordance with the regulatory procedure with scrutiny. This applies particularly to the Commission's powers to adopt certain measures regulating trade in species of wild fauna and flora, to adopt certain amendments to the Annexes to Regulation (EC) No 338/97 and to adopt additional measures to implement resolutions of the Conference of the Parties to the Convention on international trade in endangered species of wild fauna and flora (CITES), decisions or recommendations of the Standing Committee of the Convention and recommendations of the Convention Secretariat.

On grounds of efficiency, the normal time-limits for the regulatory procedure with scrutiny are curtailed for the adoption of measures amending the Annexes to Regulation (EC) No 338/97, in order to comply with the deadline for entry into force of amendments to the Appendices to the Convention.

ENTRY INTO FORCE: 10/06/2009.