Common commercial policy: repeal of certain obsolete Council acts

2010/0369(COD) - 21/12/2010 - Legislative proposal

PURPOSE: to repeal certain obsolete Council acts in the field of common commercial policy.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

LEGAL BASE: Article 207 of the Treaty on the Functioning of the European Union (TFEU).

IMPACT ASSESSMENT: no impact assessment was carried out.

CONTENT: a number of acts which were adopted over the last decades have exhausted all their effects, but remain technically into force. They have become obsolete because of their temporary character or because their content has been taken up by successive acts.

According to the interinstitutional agreement on better law making, acts which have no continued relevance should be removed from the 'acquis communautaire', in order to improve transparency and certainty of Union law.

The Commission has carried out several exercises to remove obsolete legislation from the *acquis*, partly trough the traditional repeal procedure, partly by declaring the relevant Commission acts obsolete. The Commission also identified a number of Council acts related to the Common Agricultural Policy, but which are based upon Article 207 of the Treaty (former Article 133), which have exhausted all practical effects, but are formally still in force.

It is not within the Commission's powers to declare obsolete acts which were adopted by the Council. In the interest of legal certainty, the Commission suggests that the acts listed in this proposal shall be repealed by the Council and the European Parliament.

This proposal aims to repeal the following Regulations: Regulations (EEC) No 1471/88, (EEC) No 478 /92, (EEC) No 3125/92, (EC) No 2184/96, (EC) No 2398/96, (EC) No 1722/1999, (EC) No 2798/1999, (EC) No 215/2000, (EC) No 278/2003, (EC) No 999/2003, (EC) No 1039/2003, (EC) No 1086/2003, (EC) No 1087/2003, (EC) No 1088/2003, (EC) No 1089/2003, (EC) No 1090/2003, (EC) No 1923/2004 and Decisions 98/658/EC, 2004/910/EC, 2007/317/EC.

BUDGETARY IMPLICATION: this proposal has no implication for the EU budget.