

Free movements of goods: exchange of information on national measures

1993/0489(COD) - 29/06/1995 - Council position

The Council's common position incorporated all of the amendments tabled by the European Parliament that had been taken over in the Commission's amended proposal. The Council also included new provisions aimed at: - clarifying the situations under which the notification procedure established by the decision was to be applied; - defining the terms "judicial decision", in the strict sense, and "measures", in the broad sense; - defining in more detail the measures that should be notified and those that fell outside the scope of the decision: exclusion of measures relating solely to the protection of public morality or public order and exclusion of second-hand goods which, with time or use, had become unsuitable for being placed or kept on the market; - increasing from 30 to 45 days the period of time granted to the competent authorities to notify the information set out in the decision, with a view to taking account of the technical constraints involved in the administration; - clarifying that, in certain cases, the communication of certain information was subject to authorisation by the competent judicial authority; - providing for assistance from the Standing Committee set up by Directive 81/139/EEC and, where appropriate, information for the sectoral committees; - ensuring that the decision was implemented from 1 January 1997 by allowing the Member States six months from its entry into force to communicate to the Commission the measures it had taken to implement the decision.