Interinstitutional agreement on a more structured use of the recasting technique for legal acts

2000/2266(ACI) - 28/11/2001 - Final act

PURPOSE: to lay down procedural rules enabling a more structured use of the Community's recasting techniques for the legislative process. COMMUNITY MEASURE: European Parliament, Council, Commission inter-institutional agreement on a more structured use of the recasting technique for legal acts. CONTENT: there has been a growing recognition in recent years for the need to improve the clarity and readability of frequently amended legal texts. This inter-institutional agreement seeks to establish a technique which enables amendments to, and codification of, acts to be carried out within the framework of a single legislative act, to establish greater clarity for readers. The agreement thus establishes a new "recasting technique", permitting the adoption of a single legislative text which simultaneously makes the desired amendment, codifies that amendment with the unchanged provisions of the earlier act and repeals that act. It is hoped that this technique will allow for improved readability of Community legislation. Recasting shall consist of the adoption of a new legal act which incorporates in a single text both the substantive amendments which it makes to an earlier act and the unchanged provisions of that act. The new legal act will replace and repeal the earlier act. A proposal for recasting submitted by the Commission shall deal with the substantive amendments which it makes to an earlier act. On a secondary level, the proposal shall include the codification of the unchanged provisions of the earlier act with those substantive amendments. The Community's normal legislative process shall be complied with in full. The proposed legislative text shall be presented in a way which firstly, enables the substantive amendments and new recitals to be clearly distinguished from the provisions and recitals which remain unchanged. Secondly, with regard to the provisions and recitals which remain unchanged they should remain similar to the method used for presenting proposals for the official codification of legislative acts. In an act recasting a Directive the periods referred to concerning the transposition period will be set out in an annex in the form of a table. The agreement will be assessed three years after its entry into force. ENTRY INTO FORCE: 29/03/02