

Ozone layer protection: base year for the allocation of quotas of hydrochlorofluorocarbons (HCFCs) for the new Member States that acceded on 1 May 2004

2004/0296(COD) - 24/10/2005 - Legislative proposal

To recall, the Commission submitted the previous initial proposal to the Council in August 2004. The Working Party on the Environment agreed on 21 October 2005 to change the legal basis of the Regulation from Article 57 (2) of the Accession Treaty to Article 175 (1) of the EC Treaty. It also agreed consequential changes to the citations, recitals and Article 2.

While considering that the legal basis that it had originally proposed remains appropriate, the Commission can accept these changes. It would therefore be appropriate for the Committee of Permanent Representatives to agree:

- to the change of the legal basis; and
- as a consequence, that the Council should consult the European Parliament, Economic and Social Committee and Committee of the Regions on the basis of the modified proposal set out in the Addendum to this note.

The current and incoming Presidencies have undertaken to seek to negotiate a first-reading agreement with the European Parliament, in order that adoption of the Regulation might take place as soon as possible in 2006.