Basic information

2005/0166(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
European Monitoring Centre for Drugs and Drug Addiction (EMCDDA). Recast Amended by 2016/0261(COD) **Subject** 4.20.03 Drug addiction, alcoholism, smoking 7.30.30.04 Action to combat drugs and drug-trafficking 8.40.08 Agencies and bodies of the EU	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	BREPOELS Frieda (PPE-DE)	14/09/2005

Committee for opinion	Rapporteur for opinion	Appointed
ENVI Environment, Public Health and Food Safety	MAŠTÁLKA Jiří (GUE/NGL)	22/09/2005
JURI Legal Affairs	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Employment, Social Policy, Health and Consumer Affairs	2767	2006-11-30

European Commission

Commission DG	Commissioner
Justice and Consumers	FRATTINI Franco

Key events

Date	Event	Reference	Summary
31/08/2005	Legislative proposal published	COM(2005)0399	Summary
06/09/2005	Committee referral announced in Parliament, 1st reading		

23/03/2006	Vote in committee, 1st reading		Summary
03/04/2006	Committee report tabled for plenary, 1st reading	A6-0124/2006	
13/06/2006	Debate in Parliament		
14/06/2006	Decision by Parliament, 1st reading	T6-0257/2006	Summary
14/06/2006	Results of vote in Parliament		
30/11/2006	Act adopted by Council after Parliament's 1st reading		
12/12/2006	Final act signed		
12/12/2006	End of procedure in Parliament		
27/12/2006	Final act published in Official Journal		

Technical information

Procedure reference	2005/0166(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Recast
Legislative instrument	Regulation
Amendments and repeals	Amended by 2016/0261(COD)
Legal basis	EC Treaty (after Amsterdam) EC 152
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/6/30060

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE367.675	13/02/2006	
Committee opinion	ENVI	PE367.656	23/02/2006	
Amendments tabled in committee		PE370.213	02/03/2006	
Committee report tabled for plenary, 1st reading/single reading		A6-0124/2006	03/04/2006	
Text adopted by Parliament, 1st reading/single reading		T6-0257/2006	14/06/2006	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	03648/1/2006	12/12/2006	

European Commission

Document type	Reference	Date	Summary

Legislative proposal	COM(2005)0399	31/08/2005	Summary
Commission response to text adopted in plenary	SP(2006)3310	12/07/2006	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0044/2006	18/01/2006	

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Regulation 2006/1920 OJ L 376 27.12.2006, p. 0001-0013	Summary

European Monitoring Centre for Drugs and Drug Addiction (EMCDDA). Recast

2005/0166(COD) - 12/12/2006 - Final act

PURPOSE: to recast the Regulation setting up the European Monitoring Centre for Drugs and Drug Addiction.

LEGISLATIVE ACT: Regulation 1920/2006/EC of the European Parliament and of the Council on the European Monitoring Centre for Drugs and Drug Addition (recast).

BACKGROUND: the European Drugs Monitoring Centre was established by Council Regulation 302/1993/EEC. Since its approval, however, the Regulation has been substantially amended. In the interest of clarity, it has been decided to recast the Regulation; the purpose of this present Regulation. As well as recasting the Regulation new, needed, elements have been incorporated into the recast legislative act.

CONTENT: this Regulation provides for the European Monitoring Centre for Drugs and Drug Addiction which is to be based in Lisbon. Its objectives are: to provide the Community and its Member States with factual, objective, reliable and comparable information on drugs, drug addiction and the consequences of drugs on European society. The data thus collected will help the Community gain an overall view of the drug and drug addiction situation. The Centre may not go beyond the sphere of collecting information specified in the Regulation's provisions. Further, the Centre will not be allowed to collect any data which may make it possible to identify individuals or small groups of individuals and it must refrain from transmitting information relating to specific named cases.

In order to achieve its stated objectives the Centre will be given the following tasks:

- to collect and analyse existing data;
- to improve upon data-comparison methods;
- to disseminate the data received;
- to co-operate with European and international bodies and organisations as well as with third countries; and
- to inform the national authorities of any new developments and changing trends that it has identified.

The Centre will need to focus on the following priorities:

- monitoring the state of the drugs problem;
- monitoring emerging trends;
- monitoring the solutions applied to drug related problems;
- providing information on Member State best practices;
- assessing the risk of new psychoactive substances and to maintain a rapid information system with regard to their use;
- maintaining a rapid information system regarding the new methods used for existing psychoactive substances; and
- developing the tools and instruments needed to help the Member States monitor and evaluate their national policies.

At the Centre's disposal will be a network entitled the "European Information Network on Drugs and Drug Addiction" (Reitox). This network will consist of one focal point for each Member State and each country which has concluded an agreement with the Commission. They are to act as the interface between the participating countries and the Centre.

The Centre will be made up of: a Management Board, an Executive Committee, a Director and a Scientific Committee. The Regulation requires that the Centre seek active co-operation with other international bodies and NGO's involved in the drug's sector. It will be open to the participation of any third country that shares similar interests to that of the Community and its Member States.

ENTRY INTO FORCE: 16 January 2007.

REPEALED: Regulation 302/1993/EEC.

European Monitoring Centre for Drugs and Drug Addiction (EMCDDA). Recast

2005/0166(COD) - 14/06/2006 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Frieda BREPOELS (EPP-ED, BE) and made some amendments to the Commission's proposal:

- It should be one of the Centre's tasks to provide information on best practices and guidelines in the Member States and to facilitate the exchange of such practices among them.

- The way in which the Centre is organised and its working methods should be consistent with the objective nature of the results sought, namely the comparability and compatibility of sources and methods in connection with drug information.

- Account shall be taken of further WHO and UN data available worldwide.

- The Centre should cooperate actively with Europol "to attain maximum efficiency in monitoring the drugs problem".

- In principle, the Centre shall, if it identifies new developments and changing trends, inform the competent authorities of the Member States thereof.

- The national focal points should draw on the experiences of different sectors - health, justice and law enforcement - in cooperation with experts and national organisations active in the field of drugs policy;

- Data on drugs and drug addiction provided to or by the Centre may be published subject to compliance with Community and national rules on the dissemination and confidentiality of information. Personal data may not be published or made accessible to the public. Member States and the national focal points shall be under no obligation to provide information classified as confidential under their national law.

-The report put forward a number of amendments to the rules governing the Management Board and Executive Committee as well as the procedure for the appointment of the Director. Moreover, in addition to the requirement for the Director of the Centre to appear at a hearing before Parliament, MEPs also wanted to hold a hearing of the Chairperson of the Management Board.

- The Scientific Committee (which assists the Management Board and the Director of the Centre) should not have more than 15 members, who should be selected on the basis of their expertise, by means of an open procedure. MEPs felt that a Scientific Committee consisting of one representative from each Member State would be too unwieldy and would be unable to function independently and efficiently.

European Monitoring Centre for Drugs and Drug Addiction (EMCDDA). Recast

2005/0166(COD) - 31/08/2005 - Legislative proposal

PURPOSE: To recast the legislation governing the European Monitoring Centre for Drugs and Drug Addiction.

PROPPOSED ACT: Regulation of the European Parliament and of the Council

CONTENT: Since its inception the European Monitoring Centre for Drugs and Drug Addiction has been amended three times. In addition, recent trends in drug use involving the combination of licit and illicit psychoactive substances requires that the role and scope of the Monitoring Centre needs to be extended and revised yet again. Given the frequent changes to the 1993 Regulation establishing the Centre, combined with the need to make further changes, the Commission proposes, in the interest of clarity, to recast the Regulation.

In 2003 the Commission presented a similar recast proposal (COD/2003/0311). Following a consultation process, however, it was decided to re-propose the Regulation under article 152, which requires the co-decision procedure. This present proposal, therefore, cancels and replaces the former Commission proposal.

Specifically speaking, the proposed amendments can be summarised as follows:

- Those, which have been designed to boost the Centre's role, in particular to take account of new drug patterns. Additional amendments are proposed, which improve upon the instruments helping both the Member States and the Commission to monitor and evaluate their respective drugs policies and strategies.

- Those, which have been designed to adapt the operation of the EMCDDA bodies in order to take account of enlargement. The Regulation sets up an Executive Committee to assist the Management Board.

- Those, which have been designed to bring the EMCDDA in line with the Commission's draft inter-institutional agreement in the framework for European regulatory agencies.

- Those, which codify the three amendments to the basic Regulation already adopted by the Council.

- Those, which have been designed to remove a number of uncertainties arising when the initial Regulation was applied – this refers in particular to the Recitox focal points, instead of the specialised centres.

The more technical modifications to the recast Regulation include:

- Extending the list of tasks the EMCDDA is expected to undertake. For example, in future, the EMCDDA will be responsible for collecting and analysing work on emerging trends in poly drug use, such as the combined use of licit and illicit psychoactive substances. It also requires improved synergies in the methodology for data collection and monitoring and it also extends the scope of the Centre's technical assistance to all countries authorised by the European Council to take part in Community programmes and agencies.

- The Priority Activities of the EMCDDA are adapted in accordance with the new revised tasks outlined above.

- The European Information Network on Drugs and Drug Addiction, Recitox, is amended in order to give it national legal status as well as clarifying their exact functions.

- The legal status of the Centre has been adapted in view of the fact that it has a seat.

- Changes to the Management Board are outlined, including its composition. For example, a new vice chairperson is created and the non voting status of the Management Board members are specified. In addition a new article proposes the creation of an Executive Committee, whose main role is to prepare the decisions of the Management Board.

- A new Article has been introduced relating to fraud. It stipulates that investigations conducted by OLAF will apply the EMCDDA.

- The EMCDDA will be subject, every six years, to external evaluation. On the basis of this evaluation, the Commission may, if appropriate, present proposals amending the EMCDDA Regulation.

This proposal has no budgetary implications.