

Wednesday 16 February 2000

TEXTS ADOPTED

1. Financial instrument for the environment (LIFE) *II**

A5-0014/2000

European Parliament legislative resolution on the common position adopted by the Council with a view to the adoption of a European Parliament and Council regulation concerning the financial instrument for the environment (LIFE) (10233/2/1999 – C5-0224/1999 – 1998/0336(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position, (10233/2/1999 – C5-0224/1999) ⁽¹⁾,
- having regard to its position at first reading ⁽²⁾ on the Commission proposal to Parliament and the Council (COM(1998) 720) ⁽³⁾,
- having regard to the Commission's amended proposal (COM(1999) 305),
- having regard to Article 251(2) of the EC Treaty,
- having regard to Rule 80 of its Rules of Procedure,
- having regard to the recommendation for second reading of the Committee on the Environment, Public Health and Consumer Policy (A5-0014/2000),

1. Amends the common position as follows;
2. Instructs its President to forward its position to the Council and Commission.

COMMON POSITION
OF THE COUNCILAMENDMENTS
BY PARLIAMENT

(Amendment 1)

Article 3(7), 1st subparagraph

7. Projects considered for financial support under LIFE-Nature shall be subject to the *procedure set out in Article 11. For the purposes of this paragraph, the committee shall be that referred to in Article 20 of Directive 92/43/EEC.*

7. Projects considered for financial support under LIFE-Nature shall be subject to the committee referred to in Article 20 of Directive 92/43/EEC **in accordance with the management procedure set out in Article 4 of Decision 1999/468/EC, having due regard for the provisions of Article 8 of the latter. The period laid down in Article 4(3) of the Decision shall be three months.**

(Amendment 2)

Article 3(8)(a)

(a) accompanying measures to be financed pursuant to paragraph 2(b)(i) and (ii) shall, after consultation of the committee mentioned in Article 21 of Directive 92/43/EEC, be the subject of calls for expressions of interest. Member States may submit proposals on accompanying measures to the Commission;

(a) accompanying measures to be financed pursuant to paragraph 2(b)(i) and (ii) shall, after consultation of the committee mentioned in Article 20 of Directive 92/43/EEC **in accordance with the advisory procedure set out in Article 3 of Decision 1999/468/EC**, be the subject of calls for expressions of interest. Member States may submit proposals on accompanying measures to the Commission;

⁽¹⁾ OJ C 346, 2.12.1999, p. 1.

⁽²⁾ OJ C 219, 30.7.1999, p. 265.

⁽³⁾ OJ C 15, 20.1.1999, p. 4.

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COMMON POSITION
OF THE COUNCILAMENDMENTS
BY PARLIAMENT

(Amendment 3)

Article 3(8a) (new)

8a. New proposals for the co-financing of measures of significant importance for the maintenance or re-establishment, under favourable conditions of protection, of habitats of Community interest pursuant to Article 8 of Directive 92/43/EEC shall, in so far as they receive no financial support in the context of LIFE-Environment, be forwarded by the Commission for financing by means of other suitable Community resources.

The Commission shall report annually on the applications for co-financing submitted in accordance with paragraph 5(a), which have not received support within a year in the context of either LIFE-Environment or other Community co-financing resources.

(Amendment 4)

Article 4(2)(a), 4th indent

- reduce the environmental impact of products through an integrated approach to production, distribution, consumption and handling at the end of their life-time, including the development of *environmentally-friendly* products;

- reduce the environmental impact of products through an integrated approach to production, distribution, consumption and handling at the end of their life-time, including the development of **clean technologies and environment-friendly** products;

(Amendment 5)

Article 4(2)(a), 4th indent a (new)

- **include plans and demonstration projects for the sustainable management of groundwater and surface water; or**

(Amendment 6)

Article 4(2)(a), 4th indent b (new)

- **include plans and demonstration projects for reducing air pollutants which affect climate.**

(Amendment 7)

Article 4(4)

4. As far as demonstration projects are concerned, guidelines will be established by the Commission, after being subject to the procedure set out in Article 11, and published in the Official Journal of the European Communities. The guidelines shall promote synergy between demonstration actions and the guiding principles of Community environmental policy with a view to sustainable development.

4. As far as demonstration projects are concerned, guidelines will be established by the Commission, after being subject to the procedure set out in Article 11**(3b) and (3c)**, and published in the Official Journal of the European Communities. The guidelines shall promote synergy between demonstration actions and the guiding principles of Community environmental policy with a view to sustainable development.

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COMMON POSITION OF THE COUNCIL	AMENDMENTS BY PARLIAMENT
(Amendment 8) <i>Article 4(8)(a)</i>	
<p>(a) projects to be financed pursuant to paragraph 2(b) and accompanying measures to be financed pursuant to paragraph 2(c)(i) shall, after <i>consultation of the committee mentioned</i> in Article 11, be the subject of calls for expression of interest. Member States may submit proposals on projects to be financed pursuant to paragraph 2(b) to the Commission;</p>	<p>(a) projects to be financed pursuant to paragraph 2(b) and accompanying measures to be financed pursuant to paragraph 2(c)(i) shall, after having been subject to the procedure set out in Article 11(3b) and (3c), be the subject of calls for expression of interest. Member States may submit proposals on projects to be financed pursuant to paragraph 2(b) to the Commission;</p>
(Amendment 9) <i>Article 4(10)</i>	
<p>10. Projects considered for financial support shall be subject to the procedure set out in Article 11.</p>	<p>10. Projects considered for financial support shall be subject to the procedure set out in Article 11(2) to (3a).</p>
(Amendment 10) <i>Article 5(7)</i>	
<p>7. Projects considered for financial support shall be subject to the procedure set out in Article 11. Without prejudice to this procedure, the committee set up by Article 21 of Directive 92/43/EEC shall be consulted before a decision is taken on projects concerning nature protection. The Commission shall adopt a decision concerning the list of projects selected.</p>	<p>7. Projects considered for financial support shall be subject to the procedure set out in Article 11(2) to (3a). Without prejudice to this procedure, the committee referred to in Article 20 of Directive 92/43/EEC shall be consulted in accordance with the advisory procedure set out in Article 3 of Decision 1999/468/EC before a decision is taken on projects concerning nature protection. The Commission shall adopt a decision concerning the list of projects selected.</p>
(Amendment 11) <i>Article 6(5)</i>	
<p>5. Projects considered for LIFE financial support shall be subject either to the <i>procedure set out in Article 3(7)</i> or to that set out in Article 11 according to the type of project proposed.</p>	<p>5. Projects considered for LIFE financial support shall be subject either to the committee referred to in Article 20 of Directive 92/43/EEC in accordance with the management procedure set out in Article 4 of Decision 1999/468/EC, having due regard for the provisions of Article 8 of that Decision, or to the procedure set out in Article 11(2) to (3a) of this Regulation according to the type of project proposed. The period referred to in Article 4(3) of Decision 1999/468/EC shall be three months.</p>
(Amendment 12) <i>Article 8(1)</i>	
<p>1. LIFE shall be implemented in phases. The third phase shall start on 1 January 2000 and shall end on 31 December 2004. The financial framework for the implementation of the third phase for the period 2000-2004 is hereby set at € 613 million.</p>	<p>1. LIFE shall be implemented in phases. The third phase shall start on 1 January 2000 and shall end on 31 December 2004. The financial framework for the implementation of the third phase for the period 2000-2004 is hereby set at € 850 million.</p>

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COMMON POSITION
OF THE COUNCILAMENDMENTS
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(Amendment 13)

Article 11

Committee

1. The Commission shall be assisted by a *regulatory committee*.

2. *Where reference is made to this Article, the regulatory procedure set out in Article 5 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.*

3. *The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.*

LIFE Committee

1. **For the sections LIFE-Environment and LIFE-Third Countries** the Commission shall be assisted by a committee consisting of representatives of the Member States and chaired by the Commission representative, hereinafter referred to as 'LIFE Committee'.

Management procedure

2. **The Commission representative shall submit to the LIFE Committee a draft of measures to be taken concerning projects to which it is intended to grant financial support pursuant to Article 4(2)(a) and (b) and Article 5(2)(a).**

3. **The LIFE Committee shall deliver its opinion on this draft and the Commission shall adopt the envisaged measures in accordance with the provisions of Article 4 of Decision 1999/468/EC, having due regard for the provisions of Article 8 thereof.**

3a. **The period laid down in Article 4(3) of the Decision shall be three months.**

Advisory procedure

3b. **The Commission representative shall submit to the LIFE Committee a draft of measures to be taken concerning:**

- (a) **the guidelines to be established pursuant to Article 4(4),**
- (b) **the calls for expressions of interest concerning the projects to be financed pursuant to Article 4(2)(b) and the accompanying measures referred to in Article 4(2)(c)(i),**
- (c) **any other question concerning the implementation of this programme.**

3c. **The LIFE Committee shall deliver its opinion in accordance with the provisions of Article 3 of Decision 1999/468/EC.**

(Amendment 14)

Article 12(1)

1. Not later than 30 September 2003, the Commission shall submit a report to the European Parliament and the Council on the implementation of this Regulation, its contribution to the development of Community environmental policy and the use made of the appropriations, and shall, where appropriate, make proposals for any adjustments to be made with a view to continuing the action beyond the third phase.

1. Not later than 30 September 2003, the Commission shall submit to the European Parliament and the Council:

- (a) a report on the implementation of this Regulation, its contribution to the development of Community environmental policy and the use made of the appropriations, and shall, where appropriate, make proposals for any adjustments to be made with a view to continuing the action beyond the third phase;
- (b) **proposals concerning a fourth phase for the LIFE programme.**