

Thursday 19 January 2012

ANNEX TO THE LEGISLATIVE RESOLUTION

Statement of the European Parliament concerning the use of implementing acts

The European Parliament declares that the provisions of this Directive regarding delegated and implementing acts are the result of a delicate compromise, which in some cases departs from Parliament's position in first reading. In order to achieve a second reading agreement, the European Parliament has therefore accepted implementing acts instead of delegated acts in certain specific cases. It underlines, however, that those provisions shall not be taken or used as a precedent for regulating similar situations in future legislative acts.

Statement of the Commission on Product Design (WEEE Article 4)

Eco-design measures can help to facilitate meeting the targets of the Directive on waste electrical and electronic equipment in line with the Roadmap on Resource Efficiency (COM(2011)0571). The Commission will, if and when introducing new or reviewing the implementing measures adopted pursuant to Directive 2009/125/EC on products also covered by the WEEE Directive, take into account the parameters for re-use and recycling as set out in Annex 1 part 1 of the Directive 2009/125/EC, and assess the feasibility of introducing requirements on re-usability, easy dismantling and recyclability of such products.

Statement of the Commission on specific derogations from the collection targets (WEEE Article 7)

The new WEEE Directive in Article 7(4) creates the possibility for transitional arrangements in order to address difficulties faced by a Member State in meeting the collection targets of that Article, as a result of specific circumstances. The Commission underlines that high collection targets of WEEE are important for a resource-efficient Europe and that the transitional arrangements can only be applied in exceptional circumstances. The difficulties faced and the specific circumstances on which they are based must be objective, well documented, and verifiable.

Placing on the market and use of biocidal products *II**

P7_TA(2012)0010

European Parliament legislative resolution of 19 January 2012 on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council concerning the making available on the market and use of biocidal products (05032/2/2011 – C7-0251/2011 – 2009/0076(COD))

(2013/C 227 E/16)

(Ordinary legislative procedure: second reading)

The European Parliament,

- having regard to the Council position at first reading (05032/2/2011 – C7-0251/2011),
- having regard to the opinion of the European Economic and Social Committee of 17 February 2010 ⁽¹⁾,
- having regard to its position at first reading ⁽²⁾ on the Commission proposal to the European Parliament and to the Council (COM(2009)0267),
- having regard to Article 294(7) of the Treaty on the Functioning of the European Union,
- having regard to the undertaking given by the Council representative by letter of 23 November 2011 to approve Parliament's position at second reading, in accordance with Article 294(8)(a) of the Treaty on the Functioning of the European Union,
- having regard to Rule 66 of its Rules of Procedure,
- having regard to the recommendation for second reading of the Committee on the Environment, Public Health and Food Safety (A7-0336/2011),

⁽¹⁾ OJ C 347, 18.12.2010, p. 62.

⁽²⁾ Texts adopted of 22.9.2010, P7_TA(2010)0333.

Thursday 19 January 2012

1. Adopts its position at second reading hereinafter set out;
 2. Approves its statement annexed to this resolution;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.
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P7_TC2-COD(2009)0076

Position of the European Parliament adopted at second reading on 19 January 2012 with a view to the adoption of Regulation (EU) No .../2012 of the European Parliament and of the Council concerning the making available on the market and use of biocidal products

(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU) No 528/2012.)

ANNEX TO THE LEGISLATIVE RESOLUTION

Statement of the European Parliament concerning placing on the market and use of biocidal products

The European Parliament declares that the provisions of this Regulation regarding delegated and implementing acts are the result of a delicate compromise, which in some cases departs from Parliament's position in first reading. In order to achieve a second reading agreement, the European Parliament has therefore accepted implementing acts instead of delegated acts in certain specific cases. It underlines, however, that those provisions shall not be taken or used as a precedent for regulating similar situations in future legislative acts.
