

— in the event of an unfavourable Opinion, taking due account of the European Parliament's point of view without delay, in order to seek a solution in the appropriate framework.

The act shall in any case be adopted by the deadlines laid down in the specific provisions of the basic act.

6. In the context of this *modus vivendi*, the Commission shall take account as far as possible of any comments by the European Parliament and shall keep it informed at every stage of the procedure of the action which it intends to take on them, so as to enable the Parliament to assume its own responsibilities in full knowledge of the facts.
7. This *modus vivendi* shall apply with effect from the date of its approval by the three institutions.

Done at Brussels on the twentieth day of December in the year one thousand nine hundred and ninety-four.

*For the Council  
of the European Union*

Klaus KINKEL

*For the  
European Parliament*

Nicole FONTAINE

*For the  
European Commission*

Jacques DELORS

## INTERINSTITUTIONAL AGREEMENT

of 20 December 1994

**Accelerated working method for official codification of legislative texts**

(96/C 102/02)

*(This text replaces and cancels the text published in OJ No C 293 of 8 November 1995)*

1. For the purpose of this working method, official codification means the procedure for repealing the acts to be codified and replacing them with a single act containing no substantive change to those acts.
2. Priority sectors for codification will be agreed by the three Institutions involved, on a proposal from the Commission. The Commission will include in its work programme the proposals for codification it intends to present.
3. The Commission undertakes not to introduce in its codification proposals any substantive changes to the acts to be codified.
4. The Consultative Working Party, consisting of the respective legal services of the European Parliament, the Council and the Commission, will examine such proposals upon adoption by the Commission. It will confirm at the earliest opportunity that they are indeed confined to straightforward codification without substantive changes.
5. The Community's normal legislative process will be complied with in full.
6. The purpose of the Commission proposal, namely the straightforward codification of existing texts, constitutes a legal limit, prohibiting any substantive change by the European Parliament or Council.
7. The Commission proposal will be studied in all its aspects under an accelerated procedure within the European Parliament (one committee to study the proposal and simplified procedure for its approval) and Council (examination by one working party and 'I/A items' procedure for Coreper-Council).

8. Should it prove necessary during the legislative process to go beyond straightforward codification and make substantive changes, it will be the Commission's responsibility to submit any proposal(s), where appropriate.

Done at Brussels on the twentieth day of December in the year one thousand nine hundred and ninety-four.

*For the Council  
of the European Union*

Klaus KINKEL

*For the  
European Parliament*

Nicole FONTAINE

*For the  
European Commission*

Jacques DELORS

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### JOINT DECLARATIONS

#### **On paragraph 4 of the accelerated working method for official codification of legislative texts**

The European Parliament, the Council and the Commission agree that the Consultative Working Party will endeavour to give its opinion in time for it to be made available to the institutions before they begin their respective examinations of the proposal concerned.

#### **On paragraph 7 of the accelerated working method for official codification of legislative texts**

The European Parliament, the Council and the Commission state that the study of Commission proposals for official codification in all their aspects within the European Parliament and the Council will be conducted in such a way as to avoid calling into question the dual objectives of the method of codification, namely that it should be dealt with by a single body within the Institutions and by an almost automatic procedure.

In particular, the three Institutions agree that study of Commission proposals in all their aspects will not involve re-opening discussion on the substantive solutions accepted when the acts being codified were adopted.

#### **On paragraph 8 of the accelerated working method for official codification of legislative texts**

The European Parliament, the Council and the Commission note that if it should appear necessary to go beyond straightforward codification and make substantive changes, the Commission will be able to choose, case by case, whether to recast its proposal or whether to submit a separate proposal for amendment, leaving its codification proposal on the table, and then, once the substantive change has been adopted, incorporate it into the proposal for codification.

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### EUROPEAN PARLIAMENT STATEMENT

#### **On paragraph 5 of the accelerated working method for official codification of legislative texts**

Parliament, for its part, considers that, particularly should there be any change either to the legal basis or to the procedure for adopting the text concerned, it must reserve its view as to whether codification is desirable, given the need to comply with the 'normal legislative process' within the meaning of paragraph 5 of this Agreement.

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