

Wednesday 14 November 2018

P8\_TA(2018)0453

## European Electronic Communications Code \*\*\*I

**European Parliament legislative resolution of 14 November 2018 on the proposal for a directive of the European Parliament and of the Council establishing the European Electronic Communications Code (EECC) (recast) (COM(2016)0590 — C8-0379/2016 — 2016/0288(COD))**

**(Ordinary legislative procedure — recast)**

(2020/C 363/33)

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2016)0590),
- having regard to Article 294(2) and Article 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0379/2016),
- having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
- having regard to Protocol (No 1) on the role of national parliaments in the European Union,
- having regard to the reasoned opinion submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Swedish Parliament, asserting that the draft legislative act does not comply with the principle of subsidiarity,
- having regard to the opinion of the European Economic and Social Committee of 26 January 2017 <sup>(1)</sup>,
- having regard to the opinion of the Committee of the Regions of 8 February 2017 <sup>(2)</sup>,
- having regard to the Interinstitutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts <sup>(3)</sup>,
- having regard to the letter of 17 October 2016 from the Committee on Legal Affairs to the Committee on Industry, Research and Energy in accordance with Rule 104(3) of its Rules of Procedure,
- having regard to the provisional agreement approved by the committee responsible under Rule 69f(4) of its Rules of Procedure and the undertaking given by the Council representative by letter of 29 June 2018 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
- having regard to Rules 104 and 59 of its Rules of Procedure,
- having regard to the report of the Committee on Industry, Research and Energy and the opinions of the Committee on the Internal Market and Consumer Protection, the Committee on Culture and Education and the Committee on Civil Liberties, Justice and Home Affairs (A8-0318/2017),

<sup>(1)</sup> OJ C 125, 21.4.2017, p. 65.

<sup>(2)</sup> OJ C 207, 30.6.2017, p. 87.

<sup>(3)</sup> OJ C 77, 28.3.2002, p. 1.

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- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the Commission proposal does not include any substantive amendments other than those identified as such in the proposal and whereas, as regards the codification of the unchanged provisions of the earlier acts together with those amendments, the proposal contains a straightforward codification of the existing texts, without any change in their substance;
1. Adopts its position at first reading hereinafter set out, taking into account the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission;
  2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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**P8\_TC1-COD(2016)0288**

**Position of the European Parliament adopted at first reading on 14 November 2018 with a view to the adoption of Directive (EU) 2018/... of the European Parliament and of the Council establishing the European Electronic Communications Code (Recast)**

*(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Directive (EU) 2018/1972.)*

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