

Opinion of the European Economic and Social Committee on the 'Proposal for a Directive of the European Parliament and of the Council on injunctions for the protection of consumers' interests (codified version)'

(COM(2003) 241 final — 2003/0099 (COD))

(2004/C 10/03)

On 6 June 2003, the Council decided to consult the European Economic and Social Committee, under Article 95 of the Treaty establishing the European Community, on the above-mentioned proposal.

The Section for the Single Market, Production and Consumption, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 3 September 2003. The rapporteur was Mr Burani.

At its 402nd plenary session on 24 and 25 September 2003 (meeting of 24 September), the European Economic and Social Committee adopted the following opinion by 124 votes to one.

1. The purpose of this proposal is to undertake the codification of Directive 98/27/EC of the European Parliament and of the Council of 19 May 1998 on injunctions for the protection of consumers' interests. The new Directive will supersede various other Directives incorporated in it; their content is fully preserved, and they are brought together with only such formal amendments as are required by the codification exercise itself.

2. The Committee obviously supports the codification of Community rules, undertaken by the Commission in accordance with the decision of 1 April 1987 ⁽¹⁾, and its opinion on

the proposal for a directive is therefore favourable, as in previous cases regarding such initiatives.

3. The Committee notes that under the interinstitutional agreement dated 20 December 1994 between the European Parliament, the Council and the Commission, no changes of substance may be made to the instruments affected by codification, and that respect for this condition is guaranteed by the Commission in the text of the proposal. However, the Committee has a duty to verify the changes made before approving them. The rapporteur has done this and has found no cause for any specific reservations or comments. The Committee recommends that in future, for practical reasons and to save time, proposals for directives in all similar cases should contain an annex including a detailed list of differences — even the slightest ones — between the original texts and the codified versions.

⁽¹⁾ COM(87) 868 PV.

Brussels, 24 September 2003.

The President
of the European Economic and Social Committee
Roger BRIESCH