

Tuesday, 14 March 2006

TEXTS ADOPTED**P6_TA(2006)0071****Agreement between the EC and Ukraine on certain aspects of air services *****European Parliament legislative resolution on the proposal for a Council decision on the conclusion of the Agreement between the European Community and Ukraine on certain aspects of air services (COM(2005)0368 — C6-0431/2005 — 2005/0155(CNS))**

(Consultation procedure)

The European Parliament,

- having regard to the proposal for a Council decision (COM(2005)0368) ⁽¹⁾,
 - having regard to Article 80(2) and Article 300(2), first subparagraph, first sentence, of the EC Treaty,
 - having regard to Article 300(3), first subparagraph, of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0431/2005),
 - having regard to Rules 51 and 83(7) of its Rules of Procedure,
 - having regard to the report of the Committee on Transport and Tourism (A6-0029/2006),
1. Approves conclusion of the agreement;
 2. Instructs its President to forward its position to the Council and Commission, and the governments and parliaments of the Member States and Ukraine.

⁽¹⁾ Not yet published in OJ.

P6_TA(2006)0072**Guarantee Fund for external actions *****European Parliament legislative resolution on the proposal for a Council regulation amending Regulation (EC, Euratom) No 2728/94 establishing a Guarantee Fund for external actions (COM(2005)0130 — C6-0176/2005 — 2005/0025(CNS))**

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2005)0130) ⁽¹⁾,
- having regard to Article 308 of the EC Treaty and to Article 203 of the EAEC Treaty, pursuant to which the Council consulted Parliament (C6-0176/2005),
- having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis,
- having regard to Rules 51 and 35 of its Rules of Procedure,
- having regard to the report of the Committee on Budgets (A6-0054/2006),

⁽¹⁾ Not yet published in OJ.

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1. Approves the Commission proposal as amended;
2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty and to Article 119, second paragraph, of the Euratom Treaty;
3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
5. Instructs its President to forward its position to the Council and Commission.

TEXT PROPOSED
BY THE COMMISSION

AMENDMENTS
BY PARLIAMENT

TEXT PROPOSED BY THE COMMISSION	AMENDMENTS BY PARLIAMENT
	Amendment 1
	<i>Citation 1</i>
Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,	Having regard to the Treaty establishing the European Community, and in particular Article 181a thereof,
	Amendment 2
	<i>Citation 2</i>
Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 203 thereof,	deleted
	Amendment 3
	<i>Recital 4</i>
(4) Should the reserve created to endow the Guarantee Fund be abolished for the Financial Perspectives 2007–2013, the funding of the Guarantee Fund should be provided for as an obligatory expenditure from the general budget of the European Union.	(4) Should the reserve created to endow the Guarantee Fund be abolished for the Financial Perspectives 2007–2013, the Guarantee Fund should be financed outside the Financial Perspective ceilings and included in the reserve.
	Amendment 4
	<i>Recital 7</i>
(7) The Treaties do not provide, for the adoption of this Regulation, powers, other than those in Article 308 of the EC Treaty and Article 203 of the Euratom Treaty,	deleted
	Amendment 5
	<i>Article 1, point 4</i>
	<i>Article 5, paragraph 2 (Regulation (EC, Euratom) No 2728/94)</i>
2. The calculations based on this smoothing mechanism shall be made separately from the calculations referred to in Article 3, third paragraph, and in Article 4. Nevertheless, they will together result in one annual transfer. The amounts to be paid from the general budget of the European Union under this smoothing mechanism shall be treated as net assets of the Fund for the calculation pursuant to Articles 3 and 4.	2. The calculations based on this smoothing mechanism shall be made separately from the calculations referred to in Article 3, third paragraph, and in Article 4. Nevertheless, they will together result in one annual transfer, but clearly indicating the different parts. The amounts to be paid from the general budget of the European Union under this smoothing mechanism shall be treated as net assets of the Fund for the calculation pursuant to Articles 3 and 4.
	Amendment 6
	<i>Article 1, point 4</i>
	<i>Article 5, paragraph 3 (Regulation (EC, Euratom) No 2728/94)</i>
3. If, as a result of the activation of guarantees on one or more major defaults, resources in the Fund fall below 50 % of the target amount, the Commission shall submit a report on exceptional measures that might be required to replenish the Fund.	3. If, as a result of the activation of guarantees on one or more major defaults, resources in the Fund fall below 75 % of the target amount, the Commission shall immediately inform the budgetary authority as to the reasons for this situation and submit a report on exceptional measures that might be required to replenish the Fund.