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Europaudvalget
(Alm. del - bilag 1369)
miljøministerråd
(Offentligt)

Medlemmerne af Folketingets Europaudvalg

og deres stedfortrædere

Bilag	Journalnummer	Kontor	
1	400.C.2-0	EU-sekr.	13. juni 2001

Til underretning for Folketingets Europaudvalg vedlægges Miljø- og Energiministeriets notat samt grundnotat om Kommissionens forslag til forretningsorden for Forskriftsudvalget for EU-miljømærket.

MILJØstyrelsen Den 29. maj 2001

Internationalt kontor J.nr M 1034-0051

OK/6

MEM 357 MST

NOTAT TIL FOLKETINGETS EUROPAUDVALG

om Kommissionens forslag til forretningsorden for forskriftsudvalget for EU-miljømærket.

Kommissionen har den 14. maj 2001 fremsendt et forslag til en forretningsorden for forskriftsudvalget for EU-miljømærket (Dok. 13 June 2001), engelsk udgave foreligger og er vedlagt). Formålet med forslaget er at fastsætte en forretningsorden for det forskriftsudvalg, der bistår Kommissionen, når der skal fastsættes kriterier for tildeling af det europæiske miljømærke "Blomsten".

Regeringen agter at stemme for forslaget.

MILJØstyrelsen 29. maj 2001

Kontoret for Renere Produkter J. nr. M 1034-0051

DS/10

GRUNDNOTAT.

Forslag til en forretningsorden for Forskriftsudvalget for EU-miljømærket.

Doc 13. june 2001 (vedlagt).

Indledning

Kommissionen har den 14. maj 2001 fremsendt et forslag til en forretningsorden for forskriftsudvalget for EU-miljømærket (Dok. 13 June 2001), engelsk udgave foreligger og er vedlagt).

Forskriftsudvalg bistår Kommissionen, når der skal fastsættes kriterier for tildeling af det europæiske miljømærke. Forslaget udgør en opfølgning af artikel 17, stk. 3 i Europa-Parlamentets og Rådets forordning nr. 1980/2000 af 17. juli 2000 om en revideret ordning for tildeling af EF-miljømærke.

Artikel 17 stk. 3 fastsætter, at Kommissionen bistås af et forskriftsudvalg.

Forskriftsudvalget skal etableres i henhold til artikel 5 og 7 jfr. artikel 8 i Rådets afgørelse af 28. juni 1999 om fastsættelse af de nærmere vilkår for udøvelsen af de gennemførelsesbeføjelser, der tillægges Kommissionen (1999/468/EF) (EFT, L184/23, 17.7.1999).

Efter artikel 7 skal et forskriftsudvalg vedtage en forretningsorden på grundlag af en standardforretningsorden (Standardforretningsordenen blev vedtaget af Kommissionen den 31. januar 2001 og offentliggjort i De Europæiske Fællesskabers Tidende den C 38, 6.2.2001 p.3. (EN)).

Det er planlagt, at Forskriftsudvalget skal stemme om sagen d. 13. juni 2001.

Formål og indhold

Formålet med forslaget er at fastsætte en forretningsorden for det forskriftsudvalg, der bistår Kommissionen, når der skal fastsættes kriterier for tildeling af det europæiske miljømærke "Blomsten". Den europæiske miljømærkeordning er en frivillig, positiv miljømærkeordning, der har til formål at fremme udformningen, fremstillingen, markedsføringen og anvendelsen af produkter, som i forhold til tilsvarende produkter har mindsket indvirkning på miljøet gennem hele deres livscyklus og hvor der gives forbrugerne bedre information om produkters indvirkning på miljøet.

Forslaget til forretningsorden fastsætter regler om mødeindkaldelser (artikel 1), dagsorden (artikel 2), frister for fremsendelse af mødemateriale (artikel 3), underretning af Europa Parlamentet (artikel 4), afstemningsregler (artikel 5), repræsentation af medlemslande i forskriftsudvalget og beslutningsdygtighed (artikel 6), arbejdsgrupper (artikel 7), adgang for trediemand til forskriftsudvalgets møder (artikel 8), skriftlig procedure (artikel 9), sekretariatsbistand (artikel 10), referat og sammenfattende rapport til Europa Parlamentet (artikel 11), deltagerliste (artikel 12), korrespondance med forskriftsudvalget (artikel 13), gennemsigtighed (artikel 14).

Indholdet i det foreliggende forslag til forretningsorden er i nøje overensstemmelse med den nævnte standardforretningsorden.

Nærheds- og proportionalitetsprincippet

Kommissionen har ikke redegjort for nærheds- og proportionalitetsprincippet. Der er tale om en gennemførelsesforanstaltning af en allerede vedtaget rådsretsakt.

Forslagets konsekvenser for Danmark.

Lovgivningsmæssige konsekvenser

Forslaget medfører ingen lovgivningsmæssige konsekvenser for Danmark.

Økonomiske konsekvenser

Forslaget forventes ikke at medføre statsfinancielle eller administrative konsekvenser.

Miljømæssige konsekvenser

Forslaget medfører ingen miljømæssige konsekvenser.

Høring

13 June 2001

**RULES OF PROCEDURE
FOR THE ECO-LABEL REGULATORY COMMITTEE**

THE ECO-LABEL REGULATORY COMMITTEE,

Having regard to Regulation (EC) No 1980/2000 of the European Parliament and of the Council of 17 July 2000 on a revised Community eco-label scheme, and in particular Article 17 thereof,

HAS DRAWN UP ITS RULES OF PROCEDURE BASED ON THE STANDARD RULES OF PROCEDURE ADOPTED BY THE COMMISSION ON 31 JANUARY 2001 :

Article 1

Convening a meeting

1. A committee meeting is convened by the Chairman, either on his or her own initiative, or at the request of a simple majority of committee members.
2. Joint meetings of the committee with other committees may be convened to discuss issues coming within their respective areas of responsibility.

Article 2

Agenda

1. The Chairman shall draw up the agenda and submit it to the committee.
2. The agenda shall make a distinction between:
 - (a) proposed measures about which the committee is asked to give an opinion, in accordance with the regulatory procedure provided for in Article 17 of Regulation (EC) No 1980/2001;
 - (b) other issues put to the committee for information or a simple exchange of views, either on the Chairman's initiative, or at the written request of a committee member.

Article 3

Documentation to be sent to committee members

1. The Chairman shall send the invitation to the meeting, the agenda and proposed measures about which the committee's opinion is required and any other working documents to the committee members in accordance with Article 13(2), as a general rule, no later than 14 calendar days before the date of the meeting.
2. In urgent cases, and where the measures to be adopted must be applied immediately, the Chairman may, at the request of a committee member or on his or her own initiative, shorten the period laid down in the above paragraph to five calendar days before the date of the meeting.

3. In cases of extreme urgency, the Chairman may depart from the periods laid down in paragraphs 1 and 2 above. If the placing of another point onto the agenda is requested during the course of a meeting, the approval of a simple majority of committee members is required.

Article 4

Informing the European Parliament

1. The Commission shall send the agenda and the proposals submitted to the committees with regard to implementing measures for acts adopted in accordance with the procedure laid down in Article 251 of the Treaty to the European Parliament for information, within the same timeframe and under the same conditions as they are sent to the Permanent Representations.

2. The Commission shall send the overall result of voting, the attendance list referred to in Article 12 and the summary report of the meetings referred to in Article 11(2) to the European Parliament within 14 calendar days of each committee meeting.

Article 5

Opinion of the committee

1. When the advisory procedure leads to a vote, the outcome of the vote shall be decided by a simple majority of the committee members. When the committee's opinion is required under the management or regulatory procedure, this is determined by means of a majority vote, as provided for in Article 205(2) of the Treaty.

2. The Chairman, on his own initiative or at the request of a committee member, may postpone the vote on a particular agenda point until the end of the meeting or a later meeting:

- if a substantive change is made to the proposal during the meeting,
- if the text of the proposal has been submitted to the committee during the meeting,
- if a new point has been added to the agenda, in accordance with Article 3(3).

If there are specific difficulties, the Chairman may extend the meeting until the following day.

3. If a committee member so requests, voting on an issue can be postponed if the documents relating to a specific agenda point have not been sent to the members within the timeframe laid down in Article 3(1) and (2).

However, at the proposal of the Chairman or the request of a committee member, the committee may decide by a simple majority of members to keep this point on the agenda because of the urgency of the matter.

4. If the committee has not issued an opinion within the timeframe laid down by the Chairman, the latter may extend this period, except in cases of urgency, no longer than the end of the next meeting. If necessary, the written procedure provided for in Article 9 of these rules of procedure may be applied.

Article 6

Representation and quorum

1. Each Member State delegation is considered to be one committee member. Each member cannot be represented by more than one person. However, with the Chairman's permission, the delegations may be accompanied by experts, at the expense of the Member State concerned.

2. A Member State delegation may, if necessary, represent a maximum of one other Member State. The Permanent Representation of the Member State that is being represented must inform the Chairman of this in writing.

3. The quorum required for the committee's deliberations about proposed measures, within the meaning of Article 2(2a), to be valid is that permitting a majority opinion to be issued.

Article 7

Working groups

1. The committee may create working groups, chaired by a representative of the Commission, to examine particular issues.

2. The groups must report back to the committee. To this end, they may appoint a rapporteur.

Article 8

Admission of third parties

1. The Chairman may decide to invite experts to talk on particular matters, at the request of a member or on his or her own initiative.

2. The representatives of the countries of the European Economic Area are welcome to attend the committee meetings, in accordance with the Agreement on the European Economic Area signed by the Community in Oporto 2 May 1992.

3. Experts and representatives of third countries or organisations must withdraw when the committee moves to a vote.

Article 9

Written procedure

1. If necessary and justified, the committee's opinion can be obtained by a written procedure. To this end, the Chairman shall send the committee members the proposed measures on which their opinion is sought, in accordance with Article 13(2). Any committee member who does not express his or her opposition or intention to abstain before the deadline laid down in the letter is considered to have given his or her tacit agreement to the proposal; the response period must not be less than 14 calendar days.

In cases of urgency or extreme urgency, the deadlines stated in Article 3(2) and (3) shall apply.

2. However, if a committee member requests that the proposed measures be examined at a committee meeting, the written procedure shall be terminated without result; the Chairman shall then call a committee meeting as soon as possible.

Article 10

Secretarial support

The Commission shall provide secretarial support for the committee and, if necessary, the working groups created in accordance with Article 7 above.

Article 11

Minutes and summary report of the meeting

1. The minutes of each meeting shall be drawn up under the auspices of the Chairman. These minutes shall contain, in particular, the opinions expressed on the proposed measures mentioned in Article 2(2a) above and, if necessary, the opinions expressed on issues mentioned in Article 2(2b). The text of the opinions shall be given in a separate annex. The minutes shall be sent to the members of the committee within 15 working days.

The committee members shall send any written comments they may have on the minutes to the Chairman. The committee shall be informed of this - if there are any disagreements, the proposed amendment shall be discussed by the committee. If the disagreement persists, the proposed amendment shall be annexed to the minutes.

2. A summary report for the European Parliament shall be drawn up under the auspices of the Chairman. This report shall briefly describe each agenda point and the result of the vote on the proposed measures submitted to the committee. It shall not mention the individual position of Member States in the committee's discussions.

Article 12

Attendance list

1. At each meeting, the Chairman shall draw up an attendance list specifying the authorities or bodies to which the persons appointed by the Member States to represent them belong.

2. At the beginning of every meeting, any committee member whose participation in the work of the committee would constitute a conflict of interest with regard to a particular agenda point must inform the Chairman of this situation.

Members of delegations who do not belong to a particular authority or organisation of a Member State must sign a declaration stating that their participation does not raise any conflict of interest.

In the event of such a conflict of interest, the member concerned must withdraw his or her participation whilst the relevant agenda points are being dealt with, at the request of the Chairman.

Article 13

Correspondence

1. Correspondence relating to the committee shall be addressed to the Commission, for the attention of the committee Chairman.

2. Correspondence for committee members shall be addressed to the Permanent Representations, if possible by e-mail; at the request of a Member State, a copy shall be sent directly to the person designated for this purpose by that Member State.

Article 14

Transparency

1. The principles and conditions concerning public access to the committee's documents shall be the same as those applying to Commission documents. It is for the Commission to take a decision on requests for access to these documents.

2. The committee's discussions shall be kept confidential.

