



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 06.03.1998
SEC(1998) 396 final

96/0300 (COD)

COMMUNICATION FROM THE COMMISSION
TO THE EUROPEAN PARLIAMENT

pursuant to the second subparagraph of Article 189 b (2) of the EC-Treaty

relating to the

Council common position on the proposal
for a European Parliament and Council Directive
laying down a procedure for the provision of information in the field of technical standards and
regulations

(Codified text)

I. Introduction

1. On 23.2.1998, the Council, acting in accordance with Article 189 b paragraph 2 of the Treaty, adopted its common position for a Directive laying down a procedure for the provision of information in the field of technical standards and regulations.
2. The aim of the proposal is to provide for legislative or official codification of existing enactments in this area with a view to rendering an important piece of Community law clearer and more accessible to the citizen.

Some compilations of the material have been published, but they have no legal status and have the added disadvantage of simply juxtaposing existing texts, with the result that they tend inevitably to be repetitive while at the same time highlighting the inconsistencies in them that flow from their differing ages and from the absence of a systematic and rigorous approach to the subject.

Presentation of all the material in a properly structured form removes the overlapping effect and makes it all the easier for the reader to find out what the law actually is.

In its proposal of 13.12.1996¹, the Commission accordingly assembles in a single text Council Directive 83/189/EEC of 28.3.1983 laying down a procedure for the provision of information in the field of technical standards and regulations², and subsequent amendments.

The Commission took a strict approach in taking over the exact text of the provisions of the directives to be codified, making only such changes as were warranted by the need for transparency and consistency and without in any way altering their substance.

3. The Commission's proposal is based on Articles 100 a, 213 and 43.
4. The Economic and Social Committee adopted its opinion on 26.2.1997³.
5. Parliament adopted its opinion on 17.9.1997 calling for no amendments.⁴

¹COM (96) 642 final - 96/0300 (COD).

²OJ N° L 109 of 26.4.1983, p. 8.

³OJ N° C 133 of 28.4.1997, p. 5.

⁴OJ N° C 304 of 6.10.1997, p. 79.

II. General comments on the common position

1. The common position follows the Commission proposal, subject to a number of technical corrections without political content.
2. Because of the assembly of several directives in a single instrument, the provisions in the codified Directive have been renumbered.
3. The Commission fully endorses the common position adopted by the Council following an examination of the proposal in accordance with the rules set out in the Interinstitutional Agreement of 20 December 1994 on an accelerated working method for official codification of legislative texts.