



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 29.04.1999  
COM(1999) 216 final

97/0340 (COD)

**OPINION OF THE COMMISSION**

**pursuant to Article 189 b (2) (d) of the EC Treaty,  
on the European Parliament's amendments  
to the Council's common position regarding  
the proposal for a**

**EUROPEAN PARLIAMENT AND COUNCIL DECISION**

**on a series of guidelines, including the identification of projects of common  
interest, for trans-European networks for the electronic Interchange of Data  
between Administrations (IDA)**

**AMENDING THE PROPOSAL OF THE COMMISSION  
pursuant to Article 189 a (2) of the EC Treaty**

## **OPINION OF THE COMMISSION**

### **1. BACKGROUND**

On the 12<sup>th</sup> December 1997, the Commission proposed to the European Parliament and the Council the adoption of a series of guidelines, including the identification of projects of common interest, for trans-European networks for the electronic Interchange of Data between Administrations (IDA)<sup>1</sup>.

The Economic and Social Committee gave a favourable opinion on the 29<sup>th</sup> April 1998<sup>2</sup>.

The Committee of the Regions gave a favourable opinion on the 14<sup>th</sup> May 1998<sup>3</sup>.

On the 18<sup>th</sup> November 1998, the European Parliament adopted a favourable resolution at its first reading with regard to the Commission proposal and proposed amendments<sup>4</sup>.

On the 15<sup>th</sup> December 1998, the Commission amended its proposal in order to incorporate those amendments of the European Parliament it had accepted (COM(1998) 786 final)<sup>5</sup>.

The Council adopted its Common position on the 21<sup>st</sup> December 1998, (Common Position (EC) 8/1999)<sup>6</sup>.

In its statement of the 8<sup>th</sup> January 1999, the Commission informed the European Parliament fully of its position (SEC(1998) 2252).

On the 12<sup>th</sup> April 1999, the European Parliament amended the Common Position.

The Commission proposal develops a general framework governing the establishment of telematic networks in support of the Community decision-making process and of Community policies and activities. It provides the objectives, priorities and broad lines of measures, establishes a specific financial framework and identifies projects of common interest (cf. Article 129c EC). The guidelines contain rules for the harmonised construction of networks, and establish mechanisms for co-ordination between the Community and the Member States.

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<sup>1</sup> OJ C 54, 21.2.1998, p. 3.

<sup>2</sup> OJ C 214, 10.7.1998, p. 33.

<sup>3</sup> OJ C 251, 10.8.1998, p. 1.

<sup>4</sup> OJ C 379, 7.12.1998, p. 57.

<sup>5</sup> OJ C 23, 28.01.1999 p. 8.

<sup>6</sup> OJ C 55, 25.2.1999, p. 1.

At the same time as these guidelines, the Commission proposed a series of horizontal actions and measures with the objective of ensuring the interoperability of the networks concerned. Both decisions together provide a balanced framework which will form the basis of a second phase of the IDA programme.

## **2. POSITION OF THE EUROPEAN PARLIAMENT IN SECOND READING**

In the second reading, the European Parliament has proposed two amendments to the Common Position.

These amendments are based on amendments 10 and 21 proposed in the first reading, the formulation of which has been slightly modified by replacing the terms “*citizens or residents*” and “*persons residing*” by the terms “*persons*” and “*persons living*” respectively.

Although accepted by the Commission, the former amendments 10 and 21 were rejected by the Council on the grounds that their formulation created a legal difficulty with regard to the question of granting residency status. The Council, however, accepted their underlying principle.

## **3. OPINION OF THE COMMISSION**

In the opinion of the Commission, the two amendments proposed by the European Parliament in the second reading contribute to refining the political priorities of the IDA programme and to enhancing its capacity to make Community policies and activities more accessible. The Commission also expects the formulation now chosen to remove the objections raised by the Council in the first reading.

## **4. CONCLUSION**

The Commission therefore accepts both of the amendments proposed by the European Parliament, and hereby amends its proposal, in accordance with Article 189a paragraph 2 of the EC Treaty, in order to incorporate these amendments.

Amended proposal for a

**EUROPEAN PARLIAMENT AND COUNCIL DECISION**

**on a series of guidelines, including the identification of projects of common interest, for trans-European networks for the electronic Interchange of Data between Administrations (IDA)**

**(Text with EEA relevance)**

*Article 4 (g)*

Original proposal

otherwise provide a direct benefit to the citizens of the European Union.

Amended proposal

(based on Parliament amendment 1)

provide benefits to the **persons** of the European Union.

*Annex, section A, par. 3 (par. 5 in the Common position)*

Original proposal

Implementation of those networks which, within the framework of the Community policies and activities and in unforeseen circumstances, are urgently required to support the action of the Community and the Member States in protecting the life and health of humans, animals and plants, the rights of the European consumers, or the fundamental interests of the Community.

Amended proposal

(based on Parliament amendment 2)

Implementation of those networks which, within the framework of the Community policies and activities and in unforeseen circumstances, are urgently required to support the action of the Community and the Member States, *inter alia* in protecting the life and health of humans, animals and plants, the rights of European consumers, **the living conditions of the persons living in the European Union**, or the fundamental interests of the Community.