


# Procedure file

Basic information	
CNS - Consultation procedure Regulation	1996/0217(CNS) Procedure completed
EC/USA, Helms-Burton Act: protection against effects of application of certain third-country legislation Amended by <a href="#">2011/0039(COD)</a>	
Subject 6.40.11 Relations with industrialised countries	
Geographical area United States	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>RELA</b> External Economic Relations		25/09/1996
		PPE <a href="#">KITTELMANN Peter</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>AFET</b> Foreign Affairs, Security and Defense Policy		25/09/1996
		GUE/NGL <a href="#">PETTINARI Luciano</a>	
	<b>JURI</b> Legal Affairs, Citizens' Rights	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">General Affairs</a>	<a href="#">1989</a>	24/02/1997
	Fisheries	<a href="#">1966</a>	22/11/1996
	<a href="#">General Affairs</a>	<a href="#">1958</a>	28/10/1996
	<a href="#">General Affairs</a>	<a href="#">1950</a>	01/10/1996

Key events			
31/07/1996	Legislative proposal published	COM(1996)0420	Summary
01/10/1996	Resolution/conclusions adopted by Council		
21/10/1996	Committee referral announced in Parliament		
22/10/1996	Vote in committee		
22/10/1996	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A4-0329/1996</a>	
25/10/1996	Debate in Parliament		
25/10/1996	Decision by Parliament	T4-0564/1996	Summary
22/11/1996	Act adopted by Council after consultation of Parliament		Summary
22/11/1996	End of procedure in Parliament		

29/11/1996	Final act published in Official Journal		
24/02/1997	Debate in Council	<a href="#">1989</a>	

### Technical information

Procedure reference	1996/0217(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amended by <a href="#">2011/0039(COD)</a>
Legal basis	EC before Amsterdam E 235; Rules of Procedure EP 163
Stage reached in procedure	Procedure completed
Committee dossier	RELA/4/08284

### Documentation gateway

Legislative proposal		<a href="#">COM(1996)0420</a> <a href="#">OJ C 296 08.10.1996, p. 0010</a>	31/07/1996	EC	Summary
Committee draft report		PE218.828/A	09/10/1996	EP	
Committee draft report		PE218.828/B	22/10/1996	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A4-0329/1996</a> <a href="#">OJ C 347 18.11.1996, p. 0047</a>	22/10/1996	EP	
Text adopted by Parliament, 1st reading/single reading		T4-0564/1996 <a href="#">OJ C 347 18.11.1996, p. 0420-0449</a>	25/10/1996	EP	Summary
Committee opinion	<b>AFET</b>	PE219.808/DEF	25/10/1996	EP	
Follow-up document		<a href="#">COM(2018)0494</a>	19/06/2018	EC	

### Additional information

European Commission	<a href="#">EUR-Lex</a>
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### Final act

[Regulation 1996/2271](#)

[OJ L 309 29.11.1996, p. 0001](#) Summary

Final legislative act with provisions for delegated acts

### Delegated acts

<a href="#">2018/2757(DEA)</a>	Examination of delegated act
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## EC/USA, Helms-Burton Act: protection against effects of application of certain third-country legislation

OBJECTIVE: amending the proposal for a Council Regulation protecting against the effects of the application of certain legislation of certain third countries, and actions based thereon or resulting therefrom. SUBSTANCE: in view of the enactment of the Iran and Libya Sanctions Act of 1996 (the 'd'Amato Bill') by the United States of America, the Commission has decided to amend its proposal to the Council for a Council

Regulation protecting against the effects of the application of certain legislation of certain third countries, and actions based thereon or resulting therefrom (COM(96)420/3). The amendment concerns an addition to the said USA legislation in the Annex to the proposed EC Regulation. ?

## EC/USA, Helms-Burton Act: protection against effects of application of certain third-country legislation

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In adopting the report by Mr Peter KITTELMANN (PPE, D), Parliament approved with amendments the proposal for a Council Regulation on protection against the effects of the application of certain legislation of certain third countries and actions based thereon or resulting therefrom. Parliament asked to be kept regularly informed on the application of such legislation and to be consulted on any changes to the list of the various laws to which the provisions of this Regulation apply. ?

## EC/USA, Helms-Burton Act: protection against effects of application of certain third-country legislation

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Following political agreement reached at its session of 28/29 October last on the "Blocking statute" concerning the Helms-Burton / D'Amato legislation, the Council adopted - the Regulation protecting against the effects of the application of extraterritorial legislation adopted by a third country, and actions based thereon or resulting therefrom, and - the Joint Action concerning measures to be adopted by Member States against the extraterritorial effects of this legislation. It is recalled that the two texts together will provide protection, notably by prohibiting the recognition or enforcement of judgments or administrative decisions based on the contested US legislation, by prohibiting compliance with it, by providing a right to recover damages awarded under it and by establishing a system under which the competent authorities within the EU are appropriately informed. ?

## EC/USA, Helms-Burton Act: protection against effects of application of certain third-country legislation

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OBJECTIVE: amending the proposal for a Council Regulation protecting against the effects of the application of certain legislation of certain third countries, and actions based thereon or resulting therefrom. COMMUNITY MEASURE: Regulation (EC) No 2271/96 protecting against the effects of the extra-territorial application of laws adopted by a third country, and actions based thereon or resulting therefrom. SUBSTANCE: in order to protect against the effects of certain laws, regulations, and other legislative instruments of third countries which purport to regulate the activities of natural and legal persons under the jurisdiction of the Member States (and notably the Iran and Libya Sanctions Act of 1996 - the d'Amato Act - by the United States of America as well as other laws such as the Cuban Democracy Act 1992 and the Cuban Liberty and Democratic Solidarity Act of 1996 which violate, by their extra-territorial application, the Community objective of free movement of capital between Member States and third countries and infringe international law, this Regulation enables the Community, under certain exceptional circumstances, to take action at Community level in order to protect its interests and the interests of the natural and legal persons in question. Such action is designed to remove, neutralize, block or otherwise counter the effects of the foreign legislation concerned. To this end, the Council will adopt a common action within CFSP in parallel with the Regulation ensuring that each Member State can take the measures it considers necessary to protect itself effectively, in so far as Community interests are not protected by this Regulation. ENTRY INTO FORCE: 29 November 1996. ?