

# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2009/0163(COD) Procedure completed
Instrument for Pre-Accession Assistance (IPA) Amending Regulation (EC) No 1085/2006	<a href="#">2004/0222(CNS)</a>
Subject 8.20.04 Pre-accession and partnership	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>AFET</b> Foreign Affairs		21/01/2010
		PPE <a href="#">ALBERTINI Gabriele</a>	
Council of the European Union	Committee for opinion	Rapporteur for opinion	Appointed
	<b>INTA</b> International Trade	The committee decided not to give an opinion.	
	<b>REGI</b> Regional Development	The committee decided not to give an opinion.	
European Commission	Council configuration	Meeting	Date
	<a href="#">Transport, Telecommunications and Energy</a>	<a href="#">3017</a>	31/05/2010
	<a href="#">General Affairs</a>	<a href="#">2984</a>	07/12/2009
	Commission DG	Commissioner	
	<a href="#">Neighbourhood and Enlargement Negotiations</a>	FÜLE Štefan	

Key events			
29/10/2009	Legislative proposal published	<a href="#">COM(2009)0588</a>	Summary
24/11/2009	Committee referral announced in Parliament, 1st reading		
02/12/2009	Additional information		Summary
07/12/2009	Resolution/conclusions adopted by Council		Summary
21/01/2010	Vote in committee, 1st reading		Summary
01/02/2010	Committee report tabled for plenary, 1st reading	<a href="#">A7-0003/2010</a>	
11/02/2010	Results of vote in Parliament		
	Decision by Parliament, 1st reading		Summary

11/02/2010		<a href="#">T7-0026/2010</a>	
31/05/2010	Act adopted by Council after Parliament's 1st reading		
16/06/2010	Final act signed		
16/06/2010	End of procedure in Parliament		
24/06/2010	Final act published in Official Journal		

### Technical information

Procedure reference	2009/0163(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation (EC) No 1085/2006 <a href="#">2004/0222(CNS)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 212
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	AFET/7/01493

### Documentation gateway

Legislative proposal	<a href="#">COM(2009)0588</a>	29/10/2009	EC	Summary
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A7-0003/2010</a>	01/02/2010	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T7-0026/2010</a>	11/02/2010	EP	Summary
Draft final act	<a href="#">00012/2010</a>	16/06/2010	CSL	

### Additional information

National parliaments	<a href="#">IPEX</a>
European Commission	<a href="#">EUR-Lex</a>

### Final act

[Regulation 2010/540](#)  
[OJ L 158 24.06.2010, p. 0007](#) Summary

## Instrument for Pre-Accession Assistance (IPA)

**PURPOSE:** to amend Council Regulation (EC) No 1085/2006 establishing an Instrument for Pre-Accession Assistance (IPA).

**PROPOSED ACT:** Council Regulation.

**CONTENT:** on 16 July 2009, Iceland presented its application to the Council to become a member of the European Union. The General Affairs Council in its session on 27 July 2009, recalling the renewed consensus on enlargement expressed in the conclusions of the European Council of 14/15 December 2006, and particularly the principle that each applicant country is assessed on its own merits, decided to implement the procedure laid down in Article 49 of the Treaty on European Union. Accordingly, the Commission was invited to submit to the Council its opinion on Iceland's application. Pending the presentation of the Commission's opinion to the Council, Iceland can be considered as a potential candidate country.

It is therefore necessary to amend Council Regulation (EC) No 1085/2006 establishing an Instrument for Pre-Accession Assistance (IPA) in order to enable Iceland to benefit from the assistance provided under the umbrella of IPA for the potential candidate countries.

The proposed amendments are as follows:

- the first amendment is introduced in Annex II and foresees including Iceland in the list of potential candidate countries;
- secondly, an amendment is introduced in Article 4. This Article stipulates that assistance under the regulation is provided in accordance with the general policy framework for pre-accession defined by the European and Accession Partnerships and taking due account of the Reports and the Strategy Paper comprised in the annual Enlargement package of the Commission. Considering that the European and Accession Partnerships have been designed particularly for the Western Balkans and Turkey to provide guidance for EU integration and harmonisation with *acquis*, and the fact that Iceland is integrated in the European Economic Area, it is necessary to introduce a minor amendment to Article 4, notably by adding a paragraph which specifies that support to Iceland is provided only on the basis of the Reports and Strategy Paper comprised in the annual Enlargement package of the Commission. This amendment will exclude the application of the European and Accession Partnerships to Iceland.

IMPACT ASSESSMENT: not applicable.

BUDGETARY IMPLICATIONS: not applicable.

## Instrument for Pre-Accession Assistance (IPA)

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The Lisbon Treaty, which entered into force on 1 December 2009, amended the EU's two core treaties, the Treaty on European Union (TEU) and the Treaty establishing the European Community (EC Treaty). The latter was renamed the Treaty on the Functioning of the European Union (TFEU).

These changes had various consequences for many ongoing procedures. First of all, the articles of the TEU and of the old EC Treaty that constitute the legal basis of all the proposals founded on those Treaties were renumbered in accordance with the table of equivalences mentioned in Article 5 of the Lisbon Treaty.

In addition, some proposals underwent a change to their legal basis going beyond a mere change to their numbering, and this resulted in changes to the type of procedure.

The Lisbon Treaty also introduced new concepts of decision-making procedure. The old "codecision procedure" was extended to new areas and renamed the "ordinary legislative procedure". A new "consent procedure" replaced the old "assent procedure". New interinstitutional procedures were also set up for the adoption of certain non-legislative acts, for example the conclusion of some international agreements.

The ongoing proposals concerned by these changes were formally modified by the Commission in a Communication published on 2 December 2009 ([COM\(2009\)0665](#)).

In the case of the proposal for a Council Regulation amending Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA), the entry into force of the Lisbon Treaty had the following impacts:

- the old legal basis - Treaty/EC/ Art. 181a ? became Art. 212 (1) of the TFEU. Please note that the numbering of the old legal basis corresponds to the consolidated version of the Treaty that was applicable immediately before the entry into force of the Lisbon Treaty, and may differ from the references in the original Commission proposal;
- the proposal, which had previously fallen under the old consultation procedure (CNS), was classified as an ordinary legislative procedure (COD).

## Instrument for Pre-Accession Assistance (IPA)

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The Council adopted conclusions confirming that the coherent implementation of the renewed consensus on enlargement approved by the European Council on 14 and 15 December 2006 which is based on the consolidation of commitments, fair and rigorous conditionality, better communication and the EU's capacity to integrate new members, continues to form the basis for EU action at all stages of the enlargement process, with each country being assessed on its own merits.

The Council welcomes the support provided to the enlargement process through financial assistance, in particular in the form of the Instrument for Pre-Accession (IPA), and emphasises the essential link between enlargement policy priorities and financial assistance, in line with the results from the recent conferences designed to improve aid effectiveness, and welcomes the efforts by the Commission to closely align IPA annual programmes with the priorities identified in the Progress Reports.

The conclusions recall that Iceland is a country with long and deep democratic roots, with the potential to make a significant contribution to the EU, both strategically and politically. The country is already closely integrated with the EU in several areas, through its membership of the European Economic Area and the Schengen area.

The Council recalls that it invited the Commission in July 2009 to submit its opinion on Iceland's application for membership in the European Union. The application will be assessed according to the principles set out in the Treaty and the criteria defined by the Copenhagen European Council in 1993, as well as the December 2006 European Council conclusions on the renewed consensus for enlargement. The Council agrees to return to the matter when the Commission has presented its opinion.

In addition, the Council notes that the inclusion of Iceland as a country eligible for preaccession assistance, under the Instrument for Pre-Accession (IPA), would contribute to preparations for its candidacy.

## Instrument for Pre-Accession Assistance (IPA)

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The Committee on Foreign Affairs adopted the report by Gabriele ALBERTINI (EPP, IT) on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA). It recommended that the European Parliament's position at first reading under the ordinary legislative procedure (formerly known as the codecision procedure) should be to take over the Commission proposal unamended.

## Instrument for Pre-Accession Assistance (IPA)

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The European Parliament adopted by 578 votes to 22, with 9 abstentions, a legislative resolution, approving unamended, under the first reading of the ordinary legislative procedure, the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA).

## Instrument for Pre-Accession Assistance (IPA)

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PURPOSE: [to include including Iceland in the list of eligible countries for EU pre-accession assistance \(IPA\)](#).

LEGISLATIVE ACT: Regulation (EU) No 540/2010 of the European Parliament and of the Council amending Council Regulation (EC) No 1085/2006 establishing an Instrument for Pre-Accession Assistance (IPA).

CONTENT: [Regulation \(EC\) No 1085/2006](#) provides for assistance to candidate and potential candidate countries in their progressive alignment with the standards and policies of the EU. Following the submission on 16 July 2009 of the application by Iceland for membership of the European Union, the Council has invited the Commission to submit to the Council its opinion on Iceland's application. Iceland can therefore be considered as a potential candidate country. Under Regulation (EC) No 1085/2006 assistance to potential candidate countries and candidate countries from the Western Balkans and Turkey is provided, inter alia, in accordance with the European and Accession Partnerships.

This Regulation adds Iceland to the list of potential candidate countries in Regulation (EC) 1085/2006 and provides that assistance under Regulation (EC) No 1085/2006 is to be provided taking due account of the Reports and the Strategy Paper comprised in the annual Enlargement package of the Commission,

ENTRY INTO FORCE: 14/07/2010.