


Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2010/0369(COD) Procedure completed
Common commercial policy: repeal of certain obsolete Council acts	
Subject 6.20 Common commercial policy in general	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	INTA International Trade	S&D MOREIRA Vital	26/01/2011
		Shadow rapporteur ALDE KAZAK Metin ECR ZAHRADIL Jan	
	Committee for opinion	Rapporteur for opinion	Appointed
	JURI Legal Affairs	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	3120	20/10/2011
European Commission	Commission DG	Commissioner	
	Regional and Urban Policy	CIOLOȘ Dacian	

Key events			
21/12/2010	Legislative proposal published	COM(2010)0765	Summary
18/01/2011	Committee referral announced in Parliament, 1st reading		
21/06/2011	Vote in committee, 1st reading		Summary
29/06/2011	Committee report tabled for plenary, 1st reading	A7-0257/2011	
13/09/2011	Results of vote in Parliament		
13/09/2011	Decision by Parliament, 1st reading	T7-0347/2011	Summary
20/10/2011	Act adopted by Council after Parliament's 1st reading		
16/11/2011	Final act signed		
16/11/2011	End of procedure in Parliament		
08/12/2011	Final act published in Official Journal		

Technical information

Procedure reference	2010/0369(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	Treaty on the Functioning of the EU TFEU 207
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	INTA/7/04960

Documentation gateway

Legislative proposal	COM(2010)0765	21/12/2010	EC	Summary
Committee draft report	PE462.786	20/04/2011	EP	
Committee report tabled for plenary, 1st reading/single reading	A7-0257/2011	29/06/2011	EP	
Amendments tabled in committee	PE470.012	02/08/2011	EP	
Text adopted by Parliament, 1st reading/single reading	T7-0347/2011	13/09/2011	EP	Summary
Commission response to text adopted in plenary	SP(2011)8584	09/11/2011	EC	
Draft final act	00035/2011/LEX	16/11/2011	CSL	

Additional information

European Commission	EUR-Lex
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Final act

[Regulation 2011/1230](#)
[OJ L 326 08.12.2011, p. 0021](#) Summary

Common commercial policy: repeal of certain obsolete Council acts

PURPOSE: to repeal certain obsolete Council acts in the field of common commercial policy.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

LEGAL BASE: Article 207 of the Treaty on the Functioning of the European Union (TFEU).

IMPACT ASSESSMENT: no impact assessment was carried out.

CONTENT: a number of acts which were adopted over the last decades have exhausted all their effects, but remain technically into force. They have become obsolete because of their temporary character or because their content has been taken up by successive acts.

According to the interinstitutional agreement on better law making, acts which have no continued relevance should be removed from the 'acquis communautaire', in order to improve transparency and certainty of Union law.

The Commission has carried out several exercises to remove obsolete legislation from the acquis, partly through the traditional repeal procedure, partly by declaring the relevant Commission acts obsolete. The Commission also identified a number of Council acts related to the Common Agricultural Policy, but which are based upon Article 207 of the Treaty (former Article 133), which have exhausted all practical effects, but are formally still in force.

It is not within the Commission's powers to declare obsolete acts which were adopted by the Council. In the interest of legal certainty, the Commission suggests that the acts listed in this proposal shall be repealed by the Council and the European Parliament.

This proposal aims to repeal the following Regulations: Regulations (EEC) No 1471/88, (EEC) No 478/92, (EEC) No 3125/92, (EC) No 2184/96, (EC) No 2398/96, (EC) No 1722/1999, (EC) No 2798/1999, (EC) No 215/2000, (EC) No 278/2003, (EC) No 999/2003, (EC) No 1039/2003, (EC) No 1086/2003, (EC) No 1087/2003, (EC) No 1088/2003, (EC) No 1089/2003, (EC) No 1090/2003, (EC) No 1923/2004 and

BUDGETARY IMPLICATION: this proposal has no implication for the EU budget.

Common commercial policy: repeal of certain obsolete Council acts

The Committee on International Trade adopted the report drafted by Vital MOREIRA (S&D, PT) on the proposal for a regulation of the European Parliament and of the Council repealing certain obsolete Council acts.

It recommended that the European Parliament's position at first reading, under the ordinary legislative procedure, should be to amend the Commission proposal in order to establish more clarity and legal certainty for the European Union's citizens and institutions.

Members propose to establish a distinction, in the recitals, between the acts in the area of the Union Common Commercial Policy which were adopted over the last decades and have exhausted all their effects, but remain technically into force, and the measures concerning certain States which have become obsolete following accession to the European Union.

The repeal of the acts shall be without prejudice to: (a) the maintenance in force of Union acts adopted on the basis of those acts; and (b) the continuing validity of amendments made by the acts to other acts of Union law that are not repealed by this Regulation.

Common commercial policy: repeal of certain obsolete Council acts

The European Parliament adopted by 621 votes to 1, with 3 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council repealing certain obsolete Council acts.

Parliament adopted its position in first reading in accordance with the ordinary legislative procedure. The amendments adopted in plenary are the result of a compromise negotiated between Parliament and Council, who amended the Commission proposal as follows:

Members propose to establish a distinction, in the recitals, between the acts in the area of the Union Common Commercial Policy which were adopted over the last decades and have exhausted all their effects, but remain technically into force, and the measures concerning certain States which have become obsolete following accession to the European Union.

The amendments stipulate that in addition, the repeal of the acts shall be without prejudice to: (a) the maintenance in force of Union acts adopted on the basis of those acts; and (b) the continuing validity of amendments made by the acts to other acts of Union law that are not repealed by this Regulation.

Common commercial policy: repeal of certain obsolete Council acts

PURPOSE: to repeal certain obsolete Council acts in the field of the common commercial policy.

LEGISLATIVE ACT: Regulation (EU) No 1230/2011 of the European Parliament and of the Council repealing certain obsolete Council acts in the field of the common commercial policy.

CONTENT: the Council adopted a regulation on repealing certain obsolete acts in the field of the common agricultural policy (CAP), following a first-reading agreement with the European Parliament.

A number of regulations relating to the CAP have become obsolete, even though they are formally still in force. The repeal process also concerns other acts which no longer have a real effect (see [COD/2010/0367](#) and [COD/2010/0368](#)).

It should be noted that this Regulation granting the continuing validity of legal acts that derive from the repealed legal acts.

ENTRY INTO FORCE: 11/12/2011.