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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 6.5.2008
COM(2008)236 final

2008/0092 (ACC)

Proposal for a

COUNCIL DECISION

amending Decision 97/126/EC concerning the conclusion of an agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part

(presented by the Commission)

EXPLANATORY MEMORANDUM

Council Decision 97/126/EC of 6 December 1996 concerns the conclusion of an agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part. Since any modifications to the agreement need to be reflected in the respective provisions of Community law, it should be explicitly stated that the Commission is authorised to adopt such detailed implementing rules, without prejudice to other specific Council acts, in particular Decision 1999/778/EC of 15 November 1999 concerning the conclusion of a Protocol on veterinary matters supplementing the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faeroe Islands, of the other part¹.

This proposal has no financial implications on the Community budget.

¹ *OJ L 305, 30.11.1999, p. 25.*

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 in conjunction with the first sentence of Article 300(2) thereof,

Having regard to the proposal from the Commission²,

Whereas:

- (1) Council Decision 97/126/EC of 6 December 1996³ concerns the conclusion of an agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands.
- (2) In accordance with Article 31 of that Agreement, a Joint Committee is established which shall be responsible for the administration of the Agreement and ensure its proper implementation. For that purpose the Committee makes recommendations and takes decisions, which shall be put into effect by the Contracting Parties in accordance with their own rules. To that effect, it should be explicitly stated in Decision 97/126/EC that the Commission is authorised to adopt such detailed implementing rules, where necessary.
- (3) The measures necessary for the implementation of the Decision 97/126/EC should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁴.
- (4) Decision 97/126/EC should therefore be amended accordingly,

² OJ C ..., ..., p.

³ OJ L 53, 22.2.1997, p. 1.

⁴ OJ L 184, 17.7.1999, p. 23. Decision as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).

HAS DECIDED AS FOLLOWS:

Article 1

After Article 1 of Decision 97/126/EC the following Articles are inserted:

"Article 1a

The Commission shall adopt the detailed rules for implementing the Agreement in accordance with the procedure laid down in Article 1b(2) of this Decision.

Article 1b

1. The Commission shall be assisted by the Management Committee for Cereals instituted by Article 25 of Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals* or by the relevant committee instituted by the corresponding Article of the Regulation for the common market organisation for the product concerned.
2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

3. The Committee shall adopt its Rules of Procedure.

* OJ L 270, 21.10.2003, p. 78." [footnote numbering should later be inserted and follow numbering in Decision 97/126/EC]

Article 2

This Decision shall take effect on the day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels,

*For the Council
The President*