



**SVET  
EVROPSKE UNIJE**

**Bruselj, 20. decembra 2006 (08.01)  
(OR. en)**

**15798/06**

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**Medinstitucionalna zadeva:  
2006/0046 (COD)**

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**CODEC 1381  
MAR 146  
ENV 641**

#### **OPOMBA**

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od:	generalnega sekretariata
za:	Odbor stalnih predstavnikov/Svet
Zadeva:	Predlog uredbe Evropskega parlamenta in Sveta o spremembi Uredbe (ES) št. 417/2002 o pospešenem uvajanju zahtev o dvojnem trupu ali enakovrednih konstrukcijskih zahtev za tankerje z enojnim trupom in o razveljavitvi Uredbe Sveta (ES) št. 2978/94 – izid prve obravnave v Evropskem parlamentu (Strasbourg, 11. do 14. decembra 2006)

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#### **I. UVOD**

V skladu z določbami člena 251(2) Pogodbe ES in skupno izjavo o praktičnih rešitvah glede postopka soodločanja<sup>1</sup> so se Svet, Evropski parlament in Komisija večkrat neformalno sestali, da bi dosegli soglasje o tej zadevi v prvi obravnavi ter se tako izognili drugi obravnavi in spravnemu postopku.

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<sup>1</sup> UL C 148, 28.5.1999, str. 1.

V zvezi s tem je poročevalec g. LE RACHINEL (NI-FR) v imenu Odbora za promet in turizem predstavil osnutek poročila, zajemajoč celotno besedilo predloga Komisije in številne predloge sprememb<sup>1</sup>. Drugi sporazumni predlogi sprememb niso bili predlagani.

## II. GLASOVANJE

Na plenarnem zasedanju je bilo besedilo poročila sprejeto z enim samim glasovanjem. Sprejeto besedilo ustreza dogovoru med tremi institucijami in bi moralo biti zato sprejemljivo za Svet. Svet naj bi tako po podrobnem pregledu besedila s strani pravnikov lingvistov<sup>2</sup> lahko sprejel zakonodajni akt.

Besedilo sprejetih sprememb in zakonodajna resolucija Evropskega parlamenta sta priložena tej opombi.

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<sup>1</sup> V nasprotju z dosedanja običajno prakso poročilo ni vsebovalo posamezno oštevilčenih sprememb.

<sup>2</sup> Delegacije lahko pravno-jezikovne pripombe pošljejo sekretariatu pravno-lingvistične službe Sveta (secretariat.jl-codecision@consilium.europa.eu) do 12. 1. 2007 in se tako bolje pripravijo na sestanke z nacionalnimi strokovnjaki o pravno-jezikovnih zadevah.

## **Double-hull or equivalent design requirements for single-hull oil tankers \*\*\*I**

**European Parliament legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 417/2002 on the accelerated phasing-in of double-hull or equivalent design requirements for single-hull oil tankers and repealing Council Regulation (EC) No 2978/94 (COM(2006)0111 - C6-0104/2006 - 2006/0046(COD))**

### **(Codecision procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2006)0111)<sup>1</sup>,
  - having regard to Article 251(2) and Article 80(2) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0104/2006),
  - having regard to Rule 51 of its Rules of Procedure,
  - having regard to the report of the Committee on Transport and Tourism (A6-0417/2006),
1. Approves the Commission proposal as amended;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council and Commission.

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<sup>1</sup> Not yet published in OJ.

**Position of the European Parliament adopted at first reading on 14 December 2006 with a view to the adoption of Regulation (EC) No .../2006 of the European Parliament and of the Council amending Regulation (EC) No 417/2002 on the accelerated phasing-in of double-hull or equivalent design requirements for single-hull oil *tankers***

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80(2) thereof,

Having regard to the proposal from the *Commission*,

Having regard to the opinion of the European Economic and Social Committee<sup>1</sup>,

Having regard to the opinion of the Committee of the Regions<sup>2</sup>,

Acting in accordance with the procedure laid down in Article 251 of the Treaty<sup>3</sup>,

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<sup>1</sup> OJ C [...], [...], p. [...].

<sup>2</sup> OJ C [...], [...], p. [...].

<sup>3</sup> *Position of the European Parliament of 14 December 2006.*

Whereas:

- (1) Regulation (EC) No 417/2002<sup>1</sup> provides for the accelerated phasing-in of double-hull or equivalent design requirements for single-hull oil tankers laid down in the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto ("MARPOL 73/78"), in order to reduce the risk of accidental oil pollution in European waters.
- (2) Regulation (EC) No 417/2002 introduced measures prohibiting the carriage of heavy *grades* of oil in single-hull oil tankers leaving or bound for ports in the European Union.
- (3) Following action by the Member States and the Commission within the International Maritime Organisation (IMO), this ban has been imposed world-wide through an amendment to Annex I to MARPOL 73/78.
- (4) Paragraphs 5, 6 and 7 of Regulation 13H of *Annex I to MARPOL 73/78* concerning the ban on the carriage of heavy *grades* of oil in single-hull oil tankers contain exemptions *from Regulation 13H*. The statement by the Italian Presidency of the European Council on behalf of the European Union, recorded in the official report of the IMO's Marine Environment Protection Committee (MEPC 50), expresses a political commitment to refrain from making use of these exemptions.
- (5) Under Regulation (EC) No 417/2002, a ship flying the flag of a Member State could apply the exemptions from Regulation 13H if it operated outside ports or offshore terminals under Community jurisdiction and still comply with Regulation (EC) No 417/2002.
- (6) Regulation (EC) No 417/2002 should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

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<sup>1</sup> OJ L 64, 7.3.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 2172/2004 (OJ L 371, 18.12.2004, p. 26).

## Article 1

*Article 4(3) of Regulation (EC) No 417/2002 is replaced by the following:*

"3. No oil tanker carrying heavy *grades of oil shall* be allowed to fly the flag of a Member State unless such tanker is a double-hull tanker.

*No oil tanker carrying heavy grades of oil, irrespective of its flag, shall be allowed to enter or leave ports or offshore terminals or to anchor in areas under the jurisdiction of a Member State, unless such tanker is a double-hull oil tanker."*

## Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at,

For the European Parliament

For the Council

The President

The President

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