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DRAFT STATEMENT OF THE COUNCIL'S REASONS

Subject:	Position of the Council at first reading with a view to the adoption of a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EC) no 471/2009 on Community statistics relating to external trade with non-member countries as regards the conferral of delegated and implementing powers on the Commission for the adoption of certain measures - Draft statement of the Council's reasons

I. INTRODUCTION

1. On 8 August 2013, the Commission submitted to the Council and the European Parliament a proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 471/2009 on Community statistics relating to external trade with non-member countries as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures.

2. The 1st reading position of the European Parliament was adopted in the Plenary on 12 March 2014, adopting 9 amendments.

3. The Council and the European Parliament entered into negotiations with a view to reaching an early second reading agreement in November 2014. Due to the open issue of the consultation of experts of the Member States by the Commission before the adoption of delegated acts, negotiations were put on hold pending the outcome of the Inter-Institutional agreement on better law-making.

4. The Inter-Institutional agreement on better law-making, agreed on 15 December 2015 between the three institutions, has been adopted at EP plenary on 09 March 2016, and by the Council on 15 March 2016. The final compromise as set out in doc. 7105/16 has been redrafted accordingly.

5. On 21 April 2016, the Chair of the Committee on International Trade Committee (INTA) of the European Parliament addressed a letter to the President of the Permanent Representatives Committee, stating that, if the Council adopts its position at first reading in accordance with the above-mentioned compromise, he would recommend to the Plenary that the Council's position be accepted without amendment, subject to legal-linguistic verification, at Parliament's second reading.

6. On 11 May 2016, the Council confirmed its political agreement to the compromise text of the Regulation.

II. OBJECTIVE

7. The purpose of the draft regulation is to align the Regulation (EC) No 471/2009 of the European Parliament and of the Council on statistics relating to external trade with non-member countries to the TFEU as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures.

III. ANALYSIS OF THE COMMON POSITION

8. Following the vote in Plenary, the European Parliament and the Council conducted negotiations with the aim of concluding a early second-reading agreement on the basis of a Council first reading position that the Parliament could approve as such. The text of the Council's first reading position fully reflects the compromise reached between the co-legislators.

9. The main key issue between both institutions was the Council request for the consultation of national experts before the adoption of delegated acts. It was then decided to put on hold the negotiations pending the outcome of the Inter-Institutional agreement on better law-making.

10. Following the adoption of the Inter-Institutional agreement on better law-making, the draft regulation has been redrafted accordingly.

IV. CONCLUSION

11. The Council's position fully reflects the compromise reached in the negotiations between the European Parliament and the Council, with the agreement of the Commission and is fully in line with the Inter-Institutional agreement on better law-making. The compromise is confirmed by the letter that the Chair of the INTA committee addressed to the Chairman of the Permanent Representatives Committee on 27 April 2016.