



Brussels, 21 May 2025
(OR. en)

9230/25

**Interinstitutional File:
2023/0454 (COD)**

LIMITE

**ENV 381
MI 314
COMPET 401
CHIMIE 36
ENT 71
IND 150
RECH 235
CODEC 653**

NOTE

From: General Secretariat of the Council

To: Delegations

No. prev. doc.: 11274/24

Subject: Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2011/65/EU of the European Parliament and of the Council as regards the re-attribution of scientific and technical tasks to the European Chemicals Agency

**Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending
Directive 2011/65/EU of the European Parliament and of the Council as regards the re-attribution of
scientific and technical tasks to the European Chemicals Agency (Text with EEA relevance)
2023/0454(COD)**

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
1	2023/0454 (COD)	2023/0454 (COD)	2023/0454 (COD)	2023/0454 (COD) <small>Text Origin: Commission Proposal</small>
Document Stage				
2	Proposal for a	Proposal for a	Proposal for a	Proposal for a <small>Text Origin: Commission Proposal</small>
Document Type				
3	DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL <small>Text Origin: Commission Proposal</small>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Document Purpose				
4	amending Directive 2011/65/EU of the European Parliament and of the Council as regards the re-attribution of scientific and technical tasks to the European Chemicals Agency	amending Directive 2011/65/EU of the European Parliament and of the Council as regards the re-attribution of scientific and technical tasks to the European Chemicals Agency	amending Directive 2011/65/EU of the European Parliament and of the Council as regards the re-attribution of scientific and technical tasks to the European Chemicals Agency	amending Directive 2011/65/EU of the European Parliament and of the Council as regards the re-attribution of scientific and technical tasks to the European Chemicals Agency Text Origin: Commission Proposal
EEA Relevance				
5	(Text with EEA relevance)	(Text with EEA relevance)	(Text with EEA relevance)	(Text with EEA relevance) Text Origin: Commission Proposal
Formula				
6	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, Text Origin: Commission Proposal
Citation 1				
7	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof, Text Origin: Commission Proposal

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Citation 2				
8	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission, <small>Text Origin: Commission Proposal</small>
Citation 3				
9	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments, <small>Text Origin: Commission Proposal</small>
Citation 4				
10	Having regard to the opinion of the European Economic and Social Committee ¹ , <small>1. OJ C [...], [...], p. [...].</small>	Having regard to the opinion of the European Economic and Social Committee ¹ , <small>1. OJ C [...], [...], p. [...].</small>	Having regard to the opinion of the European Economic and Social Committee ¹ , <small>1. OJ C [...], [...], p. [...].</small>	Having regard to the opinion of the European Economic and Social Committee ¹ , <small>1. OJ C [...], [...], p. [...].</small> <small>Text Origin: Commission Proposal</small>
Citation 5				
11	After consulting the Committee of the Regions,	After consulting the Committee of the Regions,	After consulting the Committee of the Regions,	After consulting the Committee of the Regions, <small>Text Origin: Commission Proposal</small>

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Citation 6				
12	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure, <small>Text Origin: Commission Proposal</small>
Formula				
13	Whereas:	Whereas:	Whereas:	Whereas: <small>Text Origin: Commission Proposal</small>
Recital 1				
14	(1) The Commission has, in its Communication ‘European Green Deal’ ¹ , set an objective that chemical safety assessments should move towards a process of ‘one-substance, one-assessment’, calling for more transparent and simpler risk assessment processes in order to reduce the burden on all stakeholders, accelerate decision-making, as well as to increase consistency and predictability of scientific decisions and opinions. The Commission, in its Communication on Chemicals Strategy for Sustainability ² concludes that, in order to achieve that objective, part of the scientific and technical work on chemicals performed at Union level in	(1) The Commission has, in its Communication ‘European Green Deal’ ¹ , set an objective that chemical safety assessments should move towards a process of ‘one-substance, one-assessment’, calling for more transparent and simpler risk assessment processes in order to reduce the burden on all stakeholders, accelerate decision-making, as well as to increase consistency and predictability of scientific decisions and opinions. The Commission, in its Communication on Chemicals Strategy for Sustainability ² concludes that, in order to achieve that objective, part of the scientific and technical work on chemicals performed at Union level in	(1) The Commission has, in its Communication ‘European Green Deal’ ¹ , set an objective that chemical safety assessments should move towards a process of ‘one-substance, one-assessment’, calling for more transparent and simpler risk assessment processes in order to reduce the burden on all stakeholders, accelerate decision-making, as well as to increase consistency and predictability of scientific decisions and opinions. The Commission, in its Communication on Chemicals Strategy for Sustainability ² concludes that, in order to achieve that objective, part of the scientific and technical work on chemicals performed at Union level in	

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	<p>support of Union legislation needs to be reattributed to the most suitable Union agencies. This would simplify the current set-up, improve quality and coherence of safety assessments across Union legislation, and ensure more efficient use of existing resources.</p> <p>1. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, The European Green Deal (COM (2019) 640 final of 11 December 2019).</p> <p>2. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Chemicals Strategy for Sustainability Towards a Toxic-Free Environment (COM (2020) 667 final of 14 October 2020).</p>	<p>support of Union legislation needs to be reattributed to the most suitable Union agencies. This would simplify the current set-up, improve quality and coherence of safety assessments across Union legislation, and ensure more efficient use of existing resources.</p> <p><u><i>This approach is also expected to promote cost-effectiveness and competitiveness by simplifying regulatory procedures and reducing administrative burdens, ensuring that businesses can adapt efficiently to evolving regulatory frameworks.</i></u></p> <p>1. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, The European Green Deal (COM (2019) 640 final of 11 December 2019).</p> <p>2. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Chemicals Strategy for Sustainability Towards a Toxic-Free Environment (COM (2020) 667 final of 14 October 2020).</p>	<p>support of Union legislation needs to be reattributed to the most suitable Union agencies. This would simplify the current set-up, improve quality and coherence of safety assessments across Union legislation, and ensure more efficient use of existing resources.</p> <p>1. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, The European Green Deal (COM (2019) 640 final of 11 December 2019).</p> <p>2. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Chemicals Strategy for Sustainability Towards a Toxic-Free Environment (COM (2020) 667 final of 14 October 2020).</p>	

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Recital 2				
15	<p>(2) The reattribution of certain scientific and technical tasks to the European Chemicals Agency is necessary in order to align processes and levels of scientific scrutiny and digitalisation with current standards and processes of the European Chemicals Agency. This is also necessary in order to ensure a consistent standard of scientific quality, transparency, data searchability and interoperability, in line with the ‘one-substance, one-assessment’ ambition.</p>	<p>(2) The reattribution of certain scientific and technical tasks to the European Chemicals Agency is necessary in order to align processes and levels of scientific scrutiny and digitalisation with current standards and processes of the European Chemicals Agency. This is also necessary in order to ensure a consistent standard of scientific quality, transparency, data searchability and interoperability, in line with the ‘one-substance, one-assessment’ ambition.</p> <p><u>Moreover, digitalisation and streamlined processes will reduce duplicative efforts and administrative delays, providing significant cost savings and efficiency gains for both Member States and economic operators.</u></p>	<p>(2) The reattribution of certain scientific and technical tasks to the European Chemicals Agency is necessary in order to align processes and levels of scientific scrutiny and digitalisation with current standards and processes of the European Chemicals Agency. This is also necessary in order to ensure a consistent standard of scientific quality, transparency, data searchability and interoperability, in line with the ‘one-substance, one-assessment’ ambition.</p>	
Recital 2a				
15a			<p>(2a) The amendment of Directive 2011/65/EU introduced by this Directive expands the tasks, workload and remit of scientific committees of the European Chemicals Agency (ECHA). In order to provide adequate expertise, support, and</p>	

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			<p>thorough scientific evaluations, appropriate and stable resources and governance of the scientific committees should be ensured. In this respect, it is appropriate to provide for a review clause to ensure that the Commission takes account of any future regulatory developments relating to the governance of the scientific committees of the European Chemicals Agency in order to revise, if necessary, Directive 2011/65/EU on the relevant points.</p>	
Recital 3				
16	<p>(3) Directive 2011/65/EU of the European Parliament and of the Council¹ contains two procedures related to the assessment of chemicals: the evaluation of economic operators' applications for granting, renewing or revoking an exemption from the substance restrictions pursuant to Article 5 of that Directive and the review of substances to be added to the list of restricted substances pursuant to Article 6 of that Directive. There is a need to increase transparency by setting detailed procedural steps for the process to review substances for a</p>	<p>(3) Directive 2011/65/EU of the European Parliament and of the Council¹ contains two procedures related to the assessment of chemicals: the evaluation of economic operators' applications for granting, renewing or revoking an exemption from the substance restrictions pursuant to Article 5 of that Directive and the review of substances to be added to the list of restricted substances pursuant to Article 6 of that Directive. There is a need to increase transparency by setting detailed procedural steps for the process to review substances for a</p>	<p>(3) Directive 2011/65/EU of the European Parliament and of the Council¹ contains two procedures related to the assessment of chemicals: the evaluation of economic operators' applications for granting, renewing or revoking an exemption from the substance restrictions pursuant to Article 5 of that Directive and the review of substances to be added to the list of restricted substances pursuant to Article 6 of that Directive. There is a need to increase transparency by setting detailed procedural steps for the process to review substances for a</p>	<p>(3) Directive 2011/65/EU of the European Parliament and of the Council¹ contains two procedures related to the assessment of chemicals: the evaluation of economic operators' applications for granting, renewing or revoking an exemption from the substance restrictions pursuant to Article 5 of that Directive and the review of substances to be added to the list of restricted substances pursuant to Article 6 of that Directive. There is a need to increase transparency by setting detailed procedural steps for the process to review substances for a</p>

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	<p>potential inclusion in the list of restricted substances.</p> <p>1. Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment – OJ L 174 1.7.2011, p 88.</p>	<p>potential inclusion in the list of restricted substances.</p> <p>1. Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment – OJ L 174 1.7.2011, p 88.</p>	<p>potential inclusion in the list of restricted substances.</p> <p>1. Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment – OJ L 174 1.7.2011, p 88.</p>	<p>potential inclusion in the list of restricted substances.</p> <p>1. Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment – OJ L 174 1.7.2011, p 88.</p> <p>Text Origin: Commission Proposal</p>
Recital 4				
17	<p>(4) Data and information held by the European Chemicals Agency in the context of regulatory processes under Titles VII and VIII of Regulation (EC) No 1907/2006 of the European Parliament and of the Council¹ can be usefully deployed for the assessment of potential substance restrictions and for assessing applications for exemption under Directive 2011/65/EU. Established structures and procedures can help to build on the existing knowledge base, maximise synergies, and make the best use of available expertise and resources.</p> <p>1. Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation</p>	<p>(4) Data and information held by the European Chemicals Agency in the context of regulatory processes under Titles VII and VIII of Regulation (EC) No 1907/2006 of the European Parliament and of the Council¹ can be usefully deployed for the assessment of potential substance restrictions and for assessing applications for exemption under Directive 2011/65/EU. Established structures and procedures can help to build on the existing knowledge base, maximise synergies, and make the best use of available expertise and resources.</p> <p>1. Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation</p>	<p>(4) Data and information held by the European Chemicals Agency in the context of regulatory processes under Titles VII and VIII of Regulation (EC) No 1907/2006 of the European Parliament and of the Council¹ can be usefully deployed for the assessment of potential substance restrictions and for assessing applications for exemption under Directive 2011/65/EU. Established structures and procedures can help to build on the existing knowledge base, maximise synergies, and make the best use of available expertise and resources.</p> <p>1. Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation</p>	<p>(4) Data and information held by the European Chemicals Agency in the context of regulatory processes under Titles VII and VIII of Regulation (EC) No 1907/2006 of the European Parliament and of the Council¹ can be usefully deployed for the assessment of potential substance restrictions and for assessing applications for exemption under Directive 2011/65/EU. Established structures and procedures can help to build on the existing knowledge base, maximise synergies, and make the best use of available expertise and resources.</p> <p>1. Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation</p>

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	and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC - OJ L 396 30.12.2006, p. 1.	and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC - OJ L 396 30.12.2006, p. 1.	and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC - OJ L 396 30.12.2006, p. 1.	and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC - OJ L 396 30.12.2006, p. 1. Text Origin: Commission Proposal
Recital 5				
18	(5) To ensure consistency between the evaluation of economic operators' applications for granting, renewing or revoking an exemption pursuant to Article 5 of the Directive 2011/65/EU, as well as to make the best use of existing chemicals-related expertise, the technical evaluation to assess the justification of such exemption requests should be carried out by the European Chemicals Agency and its committees in close coordination with the Commission.	(5) To ensure consistency between the evaluation of economic operators' applications for granting, renewing or revoking an exemption pursuant to Article 5 of the Directive 2011/65/EU, as well as to make the best use of existing chemicals-related expertise, the technical evaluation to assess the justification of such exemption requests should be carried out by the European Chemicals Agency and its committees in close coordination with the Commission.	(5) To ensure consistency between the evaluation of economic operators' applications for granting, renewing or revoking an exemption pursuant to Article 5 of the Directive 2011/65/EU, as well as to make the best use of existing chemicals-related expertise, the technical evaluation to assess the justification of such exemption requests should be carried out by the European Chemicals Agency and its committees in close coordination with the Commission.	(5) To ensure consistency between the evaluation of economic operators' applications for granting, renewing or revoking an exemption pursuant to Article 5 of the Directive 2011/65/EU, as well as to make the best use of existing chemicals-related expertise, the technical evaluation to assess the justification of such exemption requests should be carried out by the European Chemicals Agency and its committees in close coordination with the Commission. Text Origin: Commission Proposal

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Recital 5a				
18a			(5a) The submitted information within the confidential version of an exemption application should be subject to an assessment by the European Chemicals Agency. Such assessment should comply with Union law concerning confidential data and protection of personal data, in particular regarding dissemination and confidentiality criteria established under Regulation (EC) No 1907/2006.	
Recital 5b				
18b			(5b) Most exemption requests are expected to require the expertise of the Committee for Socio-economic Analysis set up pursuant to Article 76(1), point (d) of Regulation (EC) No 1907/2006. The Members States' representatives should be consulted by the Commission when adopting guidelines on the involvement of the Committee for Risk Assessment.	

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Recital 6				
19	<p>(6) To ensure that the restriction process referred to Article 6 in Directive 2011/65/EU is consistent with the restriction processes under other legislation related to chemicals, in particular with the substance restriction process laid down in Articles 69 to 73 of Regulation (EC) No 1907/2006, it is necessary to amend Directive 2011/65/EU to formally task the European Chemicals Agency with a role in the restriction process. In the light of experience obtained when carrying out substance reviews, it is essential for the quality of the related technical assessment, and for enabling synergies, to make use of information and tools being used in the context of assessments for chemical restrictions under Regulation (EC) No 1907/2006.</p>	<p>(6) To ensure that the restriction process referred to Article 6 in Directive 2011/65/EU is consistent with the restriction processes under other legislation related to chemicals, in particular with the substance restriction process laid down in Articles 69 to 73 of Regulation (EC) No 1907/2006, it is necessary to amend Directive 2011/65/EU to formally task the European Chemicals Agency with a role in the restriction process. In the light of experience obtained when carrying out substance reviews, it is essential for the quality of the related technical assessment, and for enabling synergies, to make use of information and tools being used in the context of assessments for chemical restrictions under Regulation (EC) No 1907/2006.</p>	<p>(6) To ensure that the restriction process referred to Article 6 in Directive 2011/65/EU is consistent with the restriction processes under other legislation related to chemicals, in particular with the substance restriction process laid down in Articles 69 to 73 of Regulation (EC) No 1907/2006, it is necessary to amend Directive 2011/65/EU to formally task the European Chemicals Agency with a role in the restriction process. In the light of experience obtained when carrying out substance reviews, it is essential for the quality of the related technical assessment, and for enabling synergies, to make use of information and tools being used in the context of assessments for chemical restrictions under Regulation (EC) No 1907/2006.</p>	<p>(6) To ensure that the restriction process referred to Article 6 in Directive 2011/65/EU is consistent with the restriction processes under other legislation related to chemicals, in particular with the substance restriction process laid down in Articles 69 to 73 of Regulation (EC) No 1907/2006, it is necessary to amend Directive 2011/65/EU to formally task the European Chemicals Agency with a role in the restriction process. In the light of experience obtained when carrying out substance reviews, it is essential for the quality of the related technical assessment, and for enabling synergies, to make use of information and tools being used in the context of assessments for chemical restrictions under Regulation (EC) No 1907/2006.</p> <p>Text Origin: Commission Proposal</p>

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Recital 6a				
19a		<p><i><u>(6a) The list of restricted substances referred to in Directive 2011/65/EU should be periodically reviewed to ensure a high level of protection of human health, the environment and consumer safety. It is appropriate to set a review period of at least 36 months, taking into account market developments and technical and scientific progress, and the fact that restriction dossiers can be submitted by Member States at any time and horizontal restriction measures can be initiated and adopted under Regulation (EC) No 1907/2006, Regulation (EU) 2019/1021 or other Union law concerning sustainability criteria for hazardous substances and chemicals.</u></i></p>		
Recital 6a				
19b			<p>(6a) The list of restricted substances should be periodically reviewed to ensure a high level of protection of human health, the environment and consumer safety. It is considered appropriate to set the review period by taking into</p>	

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			<p>account market developments and technical and scientific progress and in view of the fact that restriction dossiers can be submitted by Member States at any time and horizontal restriction measures can be initiated and adopted by Regulation (EC) No 1907/2006, Regulation (EU) 2019/1021 or other Union law concerning sustainably criteria for hazardous substances and chemicals.</p>	
Recital 6b				
19c			<p>(6b) The European Chemicals Agency can develop guidance to the new Annex IX under Directive 2011/65/EU and, when applicable in this regard, reference can be made to the already available guidance for Annex XV to Regulation (EC) No 1907/2006 in respect of the specific aim of the Directive 2011/65/EU and the criteria given in Article 6.1.</p>	

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Recital 7				
20	(7) The two procedures described under Article 5 and Article 6 are applicable at the EU level. National provisions should not deviate from these Articles set in Directive 2011/65/EU.	(7) The two procedures described under Article 5 and Article 6 are applicable at the EU level. National provisions should not deviate from these Articles set in Directive 2011/65/EU.	(7) The two procedures described under Article 5 and Article 6 are applicable at the EU level. National provisions should not deviate from these Articles set in Directive 2011/65/EU.	(7) The two procedures described under Article 5 and Article 6 are applicable at the EU level. National provisions should not deviate from these Articles set in Directive 2011/65/EU. Text Origin: Commission Proposal
Recital 8				
20a			(8) In order to ensure that this Directive is coherent with any future amendment of Regulation (EC) No 1907/2006, or of other future Union law concerning sustainability criteria for hazardous substances and chemicals, the Commission should assess whether an amendment of Articles 5 and 6 of this Directive is required. Where appropriate, the Commission should propose amendments to this Directive in a future regulation amending Regulation (EC) No 1907/2006 or in other future Union law concerning sustainably criteria for hazardous substances and chemicals.	

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Recital 8				
21	(8) For amending procedural provisions under Directive 2011/65/EU, a transitional period of 12 months is necessary to allow for appropriate resource and task allocation for the European Chemicals Agency. That timeframe is considered sufficient to allow potential applicants or Member States to adjust to the modified procedural steps under that Directive.	(8) For amending procedural provisions under Directive 2011/65/EU, a transitional period of 12 ¹⁸ months is necessary to allow for appropriate resource and task allocation for the European Chemicals Agency. That timeframe is considered sufficient to allow potential applicants or Member States to adjust to the modified procedural steps under that Directive.	(8) (9) For amending procedural provisions under Directive 2011/65/EU, a transitional period of 12 24 months is necessary to allow for appropriate resource and task allocation for the European Chemicals Agency. That timeframe is considered sufficient to allow potential applicants or Member States to adjust to the modified procedural steps under that Directive.	
Recital 9				
22	(9) Directive 2011/65/EU should therefore be amended accordingly,	(9) Directive 2011/65/EU should therefore be amended accordingly,	(9) (10) Directive 2011/65/EU should therefore be amended accordingly,	(9) Directive 2011/65/EU should therefore be amended accordingly, Text Origin: Commission Proposal
Formula				
23	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE: Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1				
24	Article 1 Amendments to Directive 2011/65/EU	Article 1 Amendments to Directive 2011/65/EU	Article 1 Amendments to Directive 2011/65/EU	Article 1 Amendments to Directive 2011/65/EU Text Origin: Commission Proposal
Article 1, first paragraph				
25	Directive 2011/65/EU is amended as follows:	Directive 2011/65/EU is amended as follows:	Directive 2011/65/EU is amended as follows:	Directive 2011/65/EU is amended as follows: Text Origin: Commission Proposal
Article 1, first paragraph, point (1)				
26	(1) Article 5 is amended as follows:	(1) Article 5 is amended as follows:	(1) Article 5 is amended as follows:	(1) Article 5 is amended as follows: Text Origin: Commission Proposal
Article 1, first paragraph, point (1)(a)				
27	(a) paragraphs 3 and 4 are replaced by the following:	(a) paragraphs 3 and 4 are replaced by the following:	(a) paragraphs 3 and 4 are replaced by the following:	(a) paragraphs 3 and 4 are replaced by the following: Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (1)(a), amending provision, numbered paragraph (3)				
28	3. An application for granting, renewing or revoking an exemption shall be made to the European Chemicals Agency set up pursuant to Article 75(1) of Regulation (EC) No 1907/2006 ('the Agency') in accordance with Annex V.	3. An application for granting, renewing or revoking an exemption shall be made to the European Chemicals Agency set up pursuant to Article 75(1) of Regulation (EC) No 1907/2006 ('the Agency') in accordance with Annex V.	3. An application for granting, renewing or revoking an exemption shall be made to the European Chemicals Agency set up pursuant to Article 75(1) of Regulation (EC) No 1907/2006 ('the Agency') in accordance with Annex V.	3. An application for granting, renewing or revoking an exemption shall be made to the European Chemicals Agency set up pursuant to Article 75(1) of Regulation (EC) No 1907/2006 ('the Agency') in accordance with Annex V. Text Origin: Commission Proposal
Article 1, first paragraph, point (1)(a), amending provision, numbered paragraph (4), first subparagraph				
29	4. The Agency shall:	4. The Agency shall:	4. The Agency shall:	4. The Agency shall: Text Origin: Commission Proposal
Article 1, first paragraph, point (1)(a), amending provision, numbered paragraph (4), first subparagraph, point (a)				
30	(a) acknowledge receipt of an application within 15 days of its receipt, stating the date of receipt of the application;	(a) acknowledge receipt of an application within 15 days of its receipt, stating the date of receipt of the application;	(a) acknowledge receipt of an application within 15 days of its receipt, stating the date of receipt of the application;	(a) acknowledge receipt of an application within 15 days of its receipt, stating the date of receipt of the application; Text Origin: Commission Proposal
Article 1, first paragraph, point (1)(a), amending provision, numbered paragraph (4), first subparagraph, point (b)				
31	(b) verify that the application contains all the elements laid out in Annex V;	(b) verify that the application contains all the elements laid out in Annex V;	(b) verify that the application contains all the elements laid out in Annex V;	(b) verify that the application contains all the elements laid out in Annex V; Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (1)(a), amending provision, numbered paragraph (4), first subparagraph, point (c)			
32	(c) if necessary, request the applicant to complete the application, and provide an appropriate deadline;	(c) if necessary, request the applicant to complete the application, and provide an appropriate deadline;	(c) if necessary and within 45 days of receipt of the application , request the applicant to complete the application, and provide an appropriate deadline of maximum 60 days to do so. If the volume and the complexity of the application is such that the Agency cannot comply with the 45 days period, the Agency shall inform the applicant of any extension and of the reasons for it, as soon as possible, and in any case before the end of that period. Upon duly justified request of the applicant introduced within the period provided for completing the application and where the volume and the complexity of the application is such that the 60 days period cannot be complied with, the Agency may extend that period. The Agency shall decide on such extension within 5 working days of the request;	(c) if necessary <u>and within 45 days of receipt of the application</u> , request the applicant to complete the application, and provide an appropriate deadline <u>of maximum 60 days to do so. If the volume and the complexity of the application is such that the Agency cannot comply with the 45 days period, the Agency shall inform the applicant of any extension and of the reasons for it, as soon as possible, and in any case before the end of that period. Upon duly justified request of the applicant introduced within the period provided for completing the application and where the volume and the complexity of the application is such that the 60 days period cannot be complied with, the Agency may extend that period. The Agency shall decide on such extension within 5 working days of the request;</u> Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (1)(a), amending provision, numbered paragraph (4), first subparagraph, point (d)				
33	(d) make the application and any supplementary information supplied by the applicant available to Member States;	(d) make the application and any supplementary information supplied by the applicant available to Member States;	(d) make the application and any supplementary information supplied by the applicant available to Member States;	(d) make the application and any supplementary information supplied by the applicant available to Member States; Text Origin: Commission Proposal
Article 1, first paragraph, point (1)(a), amending provision, numbered paragraph (4), first subparagraph, point (e)				
34	(e) make a summary of the application and a non-confidential version of the application as submitted by the applicant, as well as the date when the application is considered complete, available to the public on the Agency's website;	(e) make a summary of the application and a non-confidential version of the application as submitted by the applicant, as well as the date when the application is considered complete, available to the public on the Agency's website;	(e) make a summary of the application and a non-confidential version of the application as submitted by the applicant, as well as the date when the application is considered complete, available to the public on the Agency's website;	(e) make a summary of the application and a non-confidential version of the application as submitted by the applicant, as well as the date when the application is considered complete, available to the public on the Agency's website; Text Origin: Commission Proposal
Article 1, first paragraph, point (1)(a), amending provision, numbered paragraph (4), first subparagraph, point (f)				
35	(f) invite interested parties to submit information within 3 months of its publication on the Agency's website.	(f) invite interested parties to submit information within 3 months of its publication on the Agency's website.	(f) invite interested parties to submit information within 3 months of its publication on the Agency's website.	(f) invite interested parties to submit information within 3 months of its publication on the Agency's website. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (1)(a), amending provision, numbered paragraph (4), second subparagraph				
36	Where the applicant does not complete the application with the missing elements identified by the Agency in compliance with Annex V within the deadline provided in accordance with the first subparagraph, point (c), the Agency may reject such application. The Agency shall establish and communicate to the applicant without undue delay the date when the application is considered complete.	Where the applicant does not complete the application with the missing elements identified by the Agency in compliance with Annex V within the deadline provided in accordance with the first subparagraph, point (c), the Agency may shall reject such application. The Agency shall establish and communicate to the applicant without undue delay the date when the application is considered complete.	Where the applicant does not complete the application with the missing elements identified by the Agency in compliance with Annex V within the deadline provided in accordance with the first subparagraph, point (c), the Agency may reject such application. The Agency shall establish and communicate to the applicant without undue delay the date when the application is considered complete.	Where the applicant does not complete the application with the missing elements identified by the Agency in compliance with Annex V within the deadline provided in accordance with the first subparagraph, point (c), the Agency may shall reject such application. The Agency shall establish and communicate to the applicant without undue delay the date when the application is considered complete. Text Origin: EP Mandate
Article 1, first paragraph, point (1)(a), amending provision, numbered paragraph (4), third subparagraph				
37	Upon receipt of an application, the Agency shall notify the Commission of the application and keep it informed of any of the procedural steps under points (b) to (f).;	Upon receipt of an application, the Agency shall notify the Commission of the application and keep it informed of any of the procedural steps under points (b) to (f).;	Upon receipt of an application, the Agency shall notify the Commission of the application and keep it informed of any of the procedural steps under points (b) to (f) (b) to f) .;	Upon receipt of an application, the Agency shall notify the Commission of the application and keep it informed of any of the procedural steps under points (b) to (f).; Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (1)(b)			
38	(b) the following paragraph 4a is inserted after paragraph 4:	(b) the following paragraph 4a is inserted after paragraph 4:	(b) the following paragraph 4a is inserted after paragraph 4:	(b) the following paragraph 4a is inserted after paragraph 4: Text Origin: Commission Proposal
	Article 1, first paragraph, point (1)(b), amending provision, numbered paragraph (4a), first subparagraph			
39	4a. The Agency shall, after verifying the completeness of the application, request the opinion of the Committee for Socio-economic Analysis, set up pursuant to Article 76(1), point (d) of Regulation (EC) No 1907/2006. It shall request the opinion of the Committee for Risk Assessment, set up pursuant to Article 76(1), point (c), of Regulation (EC) No 1907/2006, in the case of an application for a new exemption, or where otherwise considered appropriate.	4a. The Agency shall, after verifying the completeness of the application, request the opinion of the Committee for Socio-economic Analysis, set up pursuant to Article 76(1), point (d) of Regulation (EC) No 1907/2006. It shall request the opinion of the Committee for Risk Assessment, set up pursuant to Article 76(1), point (c), of Regulation (EC) No 1907/2006, in the case of an application for a new exemption, or where otherwise considered appropriate.	4a. The Agency shall, after verifying the completeness of the application, request the opinion of the Committee for Socio-economic Analysis, set up pursuant to Article 76(1), point (d) d of Regulation (EC) No 1907/2006. It shall request the opinion of the Committee for Risk Assessment, set up pursuant to Article 76(1), point (e) c , of Regulation (EC) No 1907/2006, in the case of an application for a new exemption, or where otherwise considered appropriate.	4a. The Agency shall, after verifying the completeness of the application, request the opinion of the Committee for Socio-economic Analysis, set up pursuant to Article 76(1), point (d) of Regulation (EC) No 1907/2006. It shall request the opinion of the Committee for Risk Assessment, set up pursuant to Article 76(1), point (c), of Regulation (EC) No 1907/2006, in the case of an application for a new exemption, or where otherwise considered appropriate. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (1)(b), amending provision, numbered paragraph (4a), second subparagraph			
40	The Committee for Socio-economic Analysis and, where relevant, the Committee for Risk Assessment:	The Committee for Socio-economic Analysis and, where relevant, the Committee for Risk Assessment:	The Committee for Socio-economic Analysis and, where relevant, the Committee for Risk Assessment:	The Committee for Socio-economic Analysis and, where relevant, the Committee for Risk Assessment: Text Origin: Commission Proposal
	Article 1, first paragraph, point (1)(b), amending provision, numbered paragraph (4a), second subparagraph, point (a)			
41	(a) shall draw up draft opinions within 9 months of the date the application has been considered complete by the Agency under paragraph 4, point (b);	(a) shall draw up draft opinions within 9 months of the date the application has been considered complete by the Agency under paragraph 4, point (b);	(a) shall draw up draft opinions within 9 months of the date the application has been considered complete by the Agency under paragraph 4, point (b) b);	(a) shall draw up draft opinions within 9 months of the date the application has been considered complete by the Agency under paragraph 4, point (b); Text Origin: Commission Proposal
	Article 1, first paragraph, point (1)(b), amending provision, numbered paragraph (4a), second subparagraph, point (b)			
42	(b) shall assess whether the criteria in Article 5(1), point (a), are met and shall provide clear guidance to the Commission on granting, renewing or revoking an exemption;	(b) shall assess whether the criteria in Article 5(1), point (a), are met and shall provide clear guidance to the Commission on granting, renewing or revoking an exemption;	(b) shall assess whether the criteria in Article 5(1), point (a) a), are met and shall provide clear guidance to the Commission on granting, renewing or revoking an exemption;	(b) shall assess whether the criteria in Article 5(1), point (a), are met and shall provide clear guidance to the Commission on granting, renewing or revoking an exemption; Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (1)(b), amending provision, numbered paragraph (4a), second subparagraph, point (c)			
43	(c) may request the applicant or third parties to submit, within a specified period, additional information;	(c) may request the applicant or third parties to submit, within a specified period, additional information;	(c) may request the applicant or third parties to submit, within a specified period, additional information;	(c) may request the applicant or third parties to submit, within a specified period, additional information; Text Origin: Commission Proposal
	Article 1, first paragraph, point (1)(b), amending provision, numbered paragraph (4a), second subparagraph, point (d)			
44	(d) upon adopting the draft opinions, shall communicate those draft opinions to the applicant and shall allow the applicant the opportunity to comment within 4 weeks of the communication of the draft opinions to the applicant;	(d) upon adopting the draft opinions, shall communicate those draft opinions to the applicant and shall allow the applicant the opportunity to comment within 4 weeks of the communication of the draft opinions to the applicant;	(d) upon adopting the draft opinions, shall communicate those draft opinions to the applicant and shall allow the applicant the opportunity to comment within 4 weeks of the communication of the draft opinions to the applicant;	(d) upon adopting the draft opinions, shall communicate those draft opinions to the applicant and shall allow the applicant the opportunity to comment within 4 weeks of the communication of the draft opinions to the applicant; Text Origin: Commission Proposal
	Article 1, first paragraph, point (1)(b), amending provision, numbered paragraph (4a), second subparagraph, point (e)			
45	(e) shall adopt their final opinions, taking into account the comments from the applicant.	(e) shall adopt their final opinions, taking into account the comments from the applicant.	(e) shall adopt their final opinions, taking into account the comments from the applicant.	(e) shall adopt their final opinions, taking into account the comments from the applicant. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (1)(b), amending provision, numbered paragraph (4a), third subparagraph			
46	Each Committee shall take into account any information submitted by third parties in accordance with the second subparagraph, point (c).	Each Committee shall take into account any information submitted by third parties in accordance with the second subparagraph, point (c).	Each Committee shall take into account any information submitted by third parties in accordance with the second subparagraph, point (c).	Each Committee shall take into account any information submitted by third parties in accordance with the second subparagraph, point (c). Text Origin: Commission Proposal
	Article 1, first paragraph, point (1)(b), amending provision, numbered paragraph (4a), fourth subparagraph			
47	The Agency shall send the final opinion(s) of the Committees to the Commission within 12 months from the date an application has been considered complete by the Agency.	The Agency shall send the final opinion(s) of the Committees to the Commission within 12 months from the date an application has been considered complete by the Agency.	The Agency shall send the final opinion(s) of the Committees to the Commission within 12 months from the date an application has been considered complete by the Agency.	The Agency shall send the final opinion(s) of the Committees to the Commission within 12 months from the date an application has been considered complete by the Agency. Text Origin: Commission Proposal
	Article 1, first paragraph, point (1)(b), amending provision, numbered paragraph (4a), fifth subparagraph			
48	The Agency shall identify which parts of its opinions and of any attachments thereto should be made publicly available on its website and shall make those parts publicly available on its website.	The Agency shall identify which parts of its opinions and of any attachments thereto should be made publicly available on its website, <u>including any requests made in accordance with point (c) of the second subparagraph.</u>	The Agency shall identify which parts of its opinions and of any attachments thereto should be made publicly available on its website and shall make those parts publicly available on its website.	The Agency shall identify which parts of its opinions and of any attachments thereto should be made publicly available on its website and shall make those parts publicly available on its website, <u>including any requests made in accordance with point (c) of the second subparagraph.</u> Text Origin: EP Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (1)(b), amending provision, numbered paragraph (4a), sixth subparagraph			
49	For the purpose of adopting opinions pursuant to this paragraph, Article 87 of Regulation (EC) No 1907/2006 shall apply mutatis mutandis.;	For the purpose of adopting opinions pursuant to this paragraph, Article 87 of Regulation (EC) No 1907/2006 shall apply mutatis mutandis.;	For the purpose of adopting opinions pursuant to this paragraph, Article 87 of Regulation (EC) No 1907/2006 shall apply mutatis mutandis.;	For the purpose of adopting opinions pursuant to this paragraph, Article 87 of Regulation (EC) No 1907/2006 shall apply mutatis mutandis.;
				Text Origin: Commission Proposal
	Article 1, first paragraph, point (1)(ba)			
49a		<u><i>(ba) paragraph 5 is replaced by the following:</i></u>		<u><i>(ba) paragraph 5 is replaced by the following:</i></u>
				Text Origin: EP Mandate
	Article 1, first paragraph, point (1)(ba), amending provision, numbered paragraph (5)			
49b		<u><i>(5) '5. An application for renewal of an exemption shall be made no later than 18 months before the exemption expires. The Commission shall adopt the decision on the application within six months of receipt of the opinions from the Agency. The existing exemption shall remain valid until a decision on the renewal application is taken by the Commission.'</i></u>		<u><i>(5) '5. An application for renewal of an exemption shall be made no later than 18 months before the exemption expires. The Commission shall adopt the decision on the application within nine months of receipt of the opinions from the Agency. The existing exemption shall remain valid until a decision on the renewal application is taken by the Commission.'</i></u>
				Text Origin: EP Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (1)(c)				
50	(c) paragraph 8 is replaced by the following:	(c) paragraph 8 is replaced by the following:	(c) paragraph 8 is replaced by the following:	(c) paragraph 8 is replaced by the following: Text Origin: Commission Proposal
Article 1, first paragraph, point (1)(c), amending provision, numbered paragraph (8)				
51	8. The Agency shall, in agreement with the Commission, provide a harmonised format for the applications referred to in paragraph 3 of this Article as well as comprehensive guidelines for such applications, taking into account the situation of SMEs. Any submission to the Agency shall be made using the format and the submission tools made available by the Agency.;	8. The Agency shall, in agreement with the Commission, provide a harmonised format for the applications referred to in paragraph 3 of this Article as well as comprehensive guidelines for such applications, taking into account the situation of SMEs. Any submission to the Agency shall be made using the format and the submission tools made available by the Agency.;	8. The Agency shall, in agreement with the Commission, provide a harmonised format for the applications referred to in paragraph 3 of this Article as well as comprehensive guidelines for such applications, taking into account the situation of SMEs. Any submission to the Agency shall be made using the format and the submission tools made available by the Agency.;	8. The Agency shall, in agreement with the Commission, provide a harmonised format for the applications referred to in paragraph 3 of this Article as well as comprehensive guidelines for such applications, taking into account the situation of SMEs. Any submission to the Agency shall be made using the format and the submission tools made available by the Agency.;
Article 1, first paragraph, point (1)(d)				
51a			(d) the following paragraph 9 is added:	<u>(d) the following paragraph 9 is added:</u> Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (1)(ca), amending provision, numbered paragraph (9)				
51b			9. The Commission shall publish guidelines to facilitate the harmonised application of this Article.'	9. <u>The Commission shall publish guidelines to facilitate the harmonised application of this Article.'</u> Text Origin: Council Mandate
Article 1, first paragraph, point (2)				
52	(2) in Annex V, the following paragraph is added:	(2) in Annex V, the following paragraph is added:	(2) in Annex V, the following paragraph is added:	(2) in Annex V, the following paragraph is added: Text Origin: Commission Proposal
Article 1, first paragraph, point (2), amending provision, first paragraph				
53	In cases referred to in the first paragraph, point (h), the applicant shall submit a non-confidential version of the application..	In cases referred to in the first paragraph, point (h), the applicant shall submit a non-confidential version of the application..	In cases referred to in the first paragraph, point (h), the applicant shall submit a non-confidential version of the application.-	In cases referred to in the first paragraph, point (h), the applicant shall submit a non-confidential version of the application.- Text Origin: Council Mandate
Article 1, first paragraph, point (3)				
54	(3) Article 6 is amended as follows:	(3) Article 6 is amended as follows:	(3) Article 6 is amended as follows:	(3) Article 6 is amended as follows: Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (3)(a)				
55	(a) in paragraph 1, the first subparagraph is replaced by the following:	(a) in paragraph 1, the first subparagraph is replaced by the following:	(a) in paragraph 1, the first subparagraph is replaced by the following:	(a) in paragraph 1, the first subparagraph is replaced by the following: Text Origin: Commission Proposal
Article 1, first paragraph, point (3)(a), amending provision, first paragraph				
56	With a view to achieving the objectives set out in Article 1 and taking account of the precautionary principle, a review, based on a thorough assessment, and an amendment of the list of restricted substances in Annex II shall be considered by the Commission periodically on its own initiative or following the submission of a restriction dossier prepared by a Member State containing the information referred to in paragraph 2.;	With a view to achieving the objectives set out in Article 1 and taking account of the precautionary principle, a review, based on a thorough assessment, and an amendment of the list of restricted substances in Annex II shall be considered by the Commission periodically <u>and at least every 36 months</u> on its own initiative or following the submission of a restriction dossier prepared by a Member State containing the information referred to in paragraph 2.;	With a view to achieving the objectives set out in Article 1 and taking account of the precautionary principle, a review, based on a thorough assessment, and an amendment of the list of restricted substances in Annex II shall be considered by the Commission periodically and at the least every five years on its own initiative or following the submission of a restriction dossier prepared by a Member State containing the information referred to in paragraph 2.;	With a view to achieving the objectives set out in Article 1 and taking account of the precautionary principle, a review, based on a thorough assessment, and an amendment of the list of restricted substances in Annex II shall be considered by the Commission periodically <u>and at least every four years</u> on its own initiative or following the submission of a restriction dossier prepared by a Member State containing the information referred to in paragraph 2.;
				Text Origin: EP Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (3)(b)				
57	(b) in paragraph 1, the fourth subparagraph is deleted.	(b) in paragraph 1, the fourth subparagraph is deleted.	(b) in paragraph 1, the fourth subparagraph is deleted.	(b) in paragraph 1, the fourth subparagraph is deleted. Text Origin: Commission Proposal
Article 1, first paragraph, point (3)(c)				
58	(c) paragraph 2 is replaced by the following:	(c) paragraph 2 is replaced by the following:	(c) paragraph 2 is replaced by the following:	(c) paragraph 2 is replaced by the following: Text Origin: Commission Proposal
Article 1, first paragraph, point (3)(c), amending provision, numbered paragraph (2), first subparagraph				
59	2. The review and amendment of the list of restricted substances in Annex II shall be based on restriction dossiers prepared by the Agency at the request of the Commission or prepared by a Member State.	2. The review and amendment of the list of restricted substances, <u>or a group of substances</u> , in Annex II shall be based on restriction dossiers prepared by the Agency at the request of the Commission or prepared by a Member State.	2. The review and amendment of the list of restricted substances, or a group of similar substances , in Annex II shall be based on restriction dossiers prepared by the Agency at the request of the Commission or prepared by a Member State.	2. The review and amendment of the list of restricted substances, <u>or a group of substances</u> , in Annex II shall be based on restriction dossiers prepared by the Agency at the request of the Commission or prepared by a Member State. Text Origin: EP Mandate
Article 1, first paragraph, point (3)(c), amending provision, numbered paragraph (2), second subparagraph				
60	The Agency or a Member State shall take into account any available information and any relevant risk assessment submitted for the purposes of other Union legislation covering the life cycle of the substance used in EEE, in	The Agency or a Member State shall take into account any available information and any relevant risk assessment submitted for the purposes of other Union legislation covering <u>any part of</u> the life cycle of the substance used	The Agency or a Member State shall take into account any available information and any relevant risk assessment submitted for the purposes of other Union legislation covering any part of the life cycle of the	The Agency or a Member State shall take into account any available information and any relevant risk assessment submitted for the purposes of other Union legislation covering <u>any part of</u> the life cycle of the substance used

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	particular the waste phase. To this end, other bodies established under Union law and carrying out a similar task shall, on request, provide information to the Agency or Member State concerned.	in EEE, in particular the waste phase. To this end, other bodies established under Union law and carrying out a similar task shall, on request, provide information to the Agency or Member State concerned.	substance used in EEE, in particular the waste phase. To this end, other bodies established under Union law and carrying out a similar task shall, on request, provide information to the Agency or Member State concerned.	in EEE, in particular the waste phase. To this end, other bodies established under Union law and carrying out a similar task shall, on request, provide information to the Agency or Member State concerned. Text Origin: EP Mandate
Article 1, first paragraph, point (3)(c), amending provision, numbered paragraph (2), third subparagraph				
61	The restriction dossier shall comply with the requirements set out in Part II, point 3, of Annex XV to Regulation (EC) No 1907/2006 and shall, in addition, contain the following information:	The restriction dossier shall comply with the requirements set out in Part II, point 3, of Annex XV to Regulation (EC) No 1907/2006 and shall, in addition, contain the following information:	The restriction dossier shall comply with the requirements set out in Part II Article 6(1) , point 3, of Annex XV to Regulation (EC) No 1907/2006 and shall, in addition, contain the following information: contained in Annex IX.	The restriction dossier shall comply with the requirements set out in Part II Article 6(1) , point 3, of Annex XV to Regulation (EC) No 1907/2006 and shall, in addition, contain the following information: contained in Annex IX. Text Origin: Council Mandate
Article 1, first paragraph, point (3)(c), amending provision, numbered paragraph (2), third subparagraph, point (-a)				
61a		(-a) the identity of the substance;		deleted
Article 1, first paragraph, point (3)(c), amending provision, numbered paragraph (2), third subparagraph, point (-b)				
61b		(-b) a precise and clear wording for the entry of the proposed restriction in Annex II;		deleted

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<i>Article 1, first paragraph, point (3)(c), amending provision, numbered paragraph (2), third subparagraph, point (-c)</i>			
61c		<u>(-c) references and scientific evidence for the restriction;</u>		deleted
	<i>Article 1, first paragraph, point (3)(c), amending provision, numbered paragraph (2), third subparagraph, point (a)</i>			
62	(a) information on the use of the substance or the group of similar substances in EEE;	(a) information on the use of the substance or the group of similar substances in EEE;	deleted	(a) information on the use of the substance or the group of similar substances in EEE;
	<i>Article 1, first paragraph, point (3)(c), amending provision, numbered paragraph (2), third subparagraph, point (b)</i>			
63	(b) information on detrimental effects and exposure in particular during waste EEE management operations.	(b) information on detrimental effects and exposure in particular during waste EEE management operations.	deleted	(b) information on detrimental effects and exposure in particular during waste EEE management operations.
	<i>Article 1, first paragraph, point (3)(c), amending provision, numbered paragraph (2), third subparagraph, point (ba)</i>			
63a		<u>(ba) information on possible alternatives, their availability and suitability;</u>		deleted
	<i>Article 1, first paragraph, point (3)(c), amending provision, numbered paragraph (2), third subparagraph, point (bb)</i>			
63b		<u>(bb) justification for considering a Union-wide restriction as the most appropriate measure.</u>		deleted
	<i>Article 1, first paragraph, point (3)(c), amending provision, numbered paragraph (2), third subparagraph, point (bc)</i>			
63c		<u>(bc) a socio-economic assessment.</u>		deleted

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
<i>Article 1, first paragraph, point (3a)</i>				
63d			(3a) Article 20 is amended as follows:	deleted <i>moved to 89a</i>
<i>Article 1, first paragraph, point (3a)(a)</i>				
63e			(a) paragraph 1 is replaced by the following:	deleted <i>moved to 89b</i>
<i>Article 1, first paragraph, point (3a)(a), amending provision, numbered paragraph 1</i>				
63f			(1) The power to adopt the delegated acts referred to in Article 4(2), Article 5(1) and Article 6 shall be conferred on the Commission for a period of 5 years from 21 July 2011. The Commission shall draw up a report in respect of delegated powers at the latest 6 months before the end of the 5-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council revokes it in accordance with Article 21.	deleted <i>moved to 89c</i>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
<i>Article 1, first paragraph, point (3a)(b)</i>				
63g			(b) the following paragraph 1a is inserted after paragraph 1:	deleted <i>moved to 89d</i>
<i>Article 1, first paragraph, point (3a)(b), amending provision, numbered paragraph (1a)</i>				
63h			(1a) Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.'	deleted <i>moved to 89e</i>
<i>Article 1, first paragraph, point (4)</i>				
64	(4) the following Articles 6a, 6b and 6c are inserted:	(4) the following Articles 6a, 6b and 6c are inserted:	(4) the following Articles 6a, 6b and 6c are inserted:	(4) the following Articles 6a, 6b and 6c are inserted: <i>Text Origin: Commission Proposal</i>
<i>Article 1, first paragraph, point (4), amending provision, first paragraph</i>				
65	Article 6a	Article 6a	Article 6a	Article 6a <i>Text Origin: Commission Proposal</i>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (4), amending provision, second paragraph				
66	Initiation of procedure for review and amendment of the list of restricted substances	Initiation of procedure for review and amendment of the list of restricted substances	Initiation of procedure for review and amendment of the list of restricted substances	Initiation of procedure for review and amendment of the list of restricted substances Text Origin: Commission Proposal
Article 1, first paragraph, point (4), amending provision, numbered paragraph (1)				
67	1. Within 12 months of receipt of the request from the Commission referred to in Article 6(2), first subparagraph, the Agency shall prepare a restriction dossier conforming to the requirements referred to in Article 6(2), third subparagraph, and suggest restrictions in order to initiate the restriction process.	1. Within 12 months of receipt of the request from the Commission referred to in Article 6(2), first subparagraph, the Agency shall prepare a restriction dossier conforming to the requirements referred to in Article 6(2), third subparagraph, and suggest restrictions in order to initiate the restriction process.	1. Within 12 months of receipt of the request from the Commission referred to in Article 6(2), first subparagraph, the Agency shall prepare a restriction dossier conforming to the requirements referred to in Article 6(2), third subparagraph, and suggest restrictions in order to initiate the restriction process.	1. Within 12 months of receipt of the request from the Commission referred to in Article 6(2), first subparagraph, the Agency shall prepare a restriction dossier conforming to the requirements referred to in Article 6(2), third subparagraph, and suggest restrictions in order to initiate the restriction process. Text Origin: Commission Proposal
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2)				
68	2. A Member State shall notify the Agency that it proposes to prepare a restriction dossier which conforms to the requirements referred to in Article 6(2), third subparagraph, within 12 months. If that dossier demonstrates that action on a Union-wide basis is necessary, beyond any measures already in place, the Member State shall	2. A Member State shall notify the Agency that it proposes to prepare a restriction dossier which conforms to the requirements referred to in Article 6(2), third subparagraph, within 12 months. If that dossier demonstrates that action on a Union-wide basis is necessary, beyond any measures already in place, the Member State shall	2. A Member State shall notify the Agency that it proposes to prepare a restriction dossier which conforms to the requirements referred to in Article 6(2), third subparagraph, within 12 months. If that dossier demonstrates that action on a Union-wide basis is necessary, beyond any measures already in place, the Member State shall	2. A Member State shall notify the Agency that it proposes to prepare a restriction dossier which conforms to the requirements referred to in Article 6(2), third subparagraph, within 12 months. If that dossier demonstrates that action on a Union-wide basis is necessary, beyond any measures already in place, the Member State shall

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	submit it to the Agency in order to initiate the restriction process.	submit it to the Agency in order to initiate the restriction process.	submit it to the Agency in order to initiate the restriction process.	submit it to the Agency in order to initiate the restriction process. Text Origin: Commission Proposal
Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)				
69	3. The Agency shall publish without delay the intention of the Commission or the Member State to initiate the process to review and amend the list of restricted substances in Annex II.	3. The Agency shall publish without delay the intention of the Commission or the Member State to initiate the process to review and amend the list of restricted substances in Annex II.	3. The Agency shall publish without delay the intention of the Commission or the Member State to initiate the process to review and amend the list of restricted substances in Annex II on the Agency's website.	3. The Agency shall publish without delay the intention of the Commission or the Member State to initiate the process to review and amend the list of restricted substances in Annex II <u>on the Agency's website.</u> Text Origin: Council Mandate
Article 1, first paragraph, point (4), amending provision, numbered paragraph (4)				
70	4. The Agency shall establish and maintain a list of substances for which a restriction dossier conforming to the requirements of Article 6(2) is planned or underway by either the Agency or a Member State for the purposes of a proposed restriction.	4. The Agency shall establish and maintain a list of substances for which a restriction dossier conforming to the requirements of Article 6(2) is planned or underway by either the Agency or a Member State for the purposes of a proposed restriction.	4. The Agency shall establish and maintain a list of substances for which a restriction dossier conforming to the requirements of Article 6(2) is planned or underway by either the Agency or a Member State for the purposes of a proposed restriction.	4. The Agency shall establish and maintain a list of substances for which a restriction dossier conforming to the requirements of Article 6(2) is planned or underway by either the Agency or a Member State for the purposes of a proposed restriction. Text Origin: Commission Proposal
Article 1, first paragraph, point (4), amending provision, numbered paragraph (5), first subparagraph				
71	5. The Agency shall consult the Committee for Risk Assessment, set up pursuant to Article 76(1), point (c), of	5. The Agency shall consult the Committee for Risk Assessment, set up pursuant to Article 76(1), point (c), of	5. The Agency shall consult the Committee for Risk Assessment, set up pursuant to Article 76(1), point (c), of	5. The Agency shall consult the Committee for Risk Assessment, set up pursuant to Article 76(1), point (c), of

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Regulation (EC) No 1907/2006, and the Committee for Socio-economic Analysis, set up pursuant to Article 76(1), point (d), of that Regulation. The Committees shall verify whether the restriction dossier submitted conforms to the requirements referred to in Article 6(2), third subparagraph.	Regulation (EC) No 1907/2006, and the Committee for Socio-economic Analysis, set up pursuant to Article 76(1), point (d), of that Regulation. The Committees shall verify whether the restriction dossier submitted conforms to the requirements referred to in Article 6(2), third subparagraph.	Regulation (EC) No 1907/2006, and the Committee for Socio-economic Analysis, set up pursuant to Article 76(1), point (d), of that Regulation. The Committees shall verify whether the restriction dossier submitted conforms to the requirements referred to in Article 6(2), third subparagraph.	Regulation (EC) No 1907/2006, and the Committee for Socio-economic Analysis, set up pursuant to Article 76(1), point (d), of that Regulation. The Committees shall verify whether the restriction dossier submitted conforms to the requirements referred to in Article 6(2), third subparagraph. Text Origin: Commission Proposal
Article 1, first paragraph, point (4), amending provision, numbered paragraph (5), second subparagraph				
72	Within 30 days of receipt of the restriction dossier, the respective Committee shall inform the Agency or the Member State proposing restrictions whether the dossier conforms to the requirements referred to in Article 6(2), third subparagraph. If the dossier does not conform to those requirements, the reasons shall be given to the Agency or the Member State in writing within 45 days of receipt of that dossier. The Agency or the Member State shall bring the dossier into conformity within 60 days of the date of receipt of the reasons from the Committees, otherwise the	Within 30 days of receipt of the restriction dossier, the respective Committee shall inform the Agency or the Member State proposing restrictions whether the dossier conforms to the requirements referred to in Article 6(2), third subparagraph. If the dossier does not conform to those requirements, the reasons shall be given to the Agency or the Member State in writing within 45 days of receipt of that dossier. The Agency or the Member State shall bring the dossier into conformity within 60 days of the date of receipt of the reasons from the Committees, otherwise the	Within 30 days of receipt of the restriction dossier, the respective Committee shall inform the Agency or the Member State proposing restrictions whether the dossier conforms to the requirements referred to in Article 6(2), third subparagraph. If the dossier does not conform to those requirements, the reasons shall be given to the Agency or the Member State in writing within 45 days of receipt of that dossier. The Agency or the Member State shall bring the dossier into conformity within 60 days of the date of receipt of the reasons from the Committees, otherwise the	Within 30 days of receipt of the restriction dossier, the respective Committee shall inform the Agency or the Member State proposing restrictions whether the dossier conforms to the requirements referred to in Article 6(2), third subparagraph. If the dossier does not conform to those requirements, the reasons shall be given to the Agency or the Member State in writing within 45 days of receipt of that dossier. The Agency or the Member State shall bring the dossier into conformity within 60 days of the date of receipt of the reasons from the Committees, otherwise the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	procedure under this Article shall be terminated.	procedure under this Article shall be terminated.	procedure under this Article shall be terminated.	procedure under this Article shall be terminated. Text Origin: Commission Proposal
Article 1, first paragraph, point (4), amending provision, numbered paragraph (6), first subparagraph				
73	6. Where the dossier meets the requirements referred to in Article 6(2), third subparagraph, the Agency shall make it publicly available without delay, clearly indicating the date of publication. The Agency shall invite all interested parties, including economic operators, recyclers, treatment operators, environmental organisations and employee and consumer associations to submit, individually or jointly, within 4 months from the date of the publication of the dossier, the following:	6. Where the dossier meets the requirements referred to in Article 6(2), third subparagraph, the Agency shall make it publicly available without delay, clearly indicating the date of publication. The Agency shall invite all interested parties, including economic operators, recyclers, treatment operators, environmental organisations and employee and consumer associations to submit, individually or jointly, within 4 months from the date of the publication of the dossier, the following:	6. Where the dossier meets the requirements referred to in Article 6(2), third subparagraph, the Agency shall make it publicly available without delay, clearly indicating the date of publication. The Agency shall invite all interested parties, including economic operators, recyclers, treatment operators, environmental organisations and employee and consumer associations to submit, individually or jointly, within 4 months from the date of the publication of the dossier, the following:	6. Where the dossier meets the requirements referred to in Article 6(2), third subparagraph, the Agency shall make it publicly available without delay, clearly indicating the date of publication. The Agency shall invite all interested parties, including economic operators, recyclers, treatment operators, environmental organisations and employee and consumer associations to submit, individually or jointly, within 4 months from the date of the publication of the dossier, the following: Text Origin: Commission Proposal
Article 1, first paragraph, point (4), amending provision, numbered paragraph (6), first subparagraph, point (a)				
74	(a) comments on dossiers and the suggested restrictions;	(a) comments on dossiers and the suggested restrictions;	(a) comments on dossiers and the suggested restrictions;	(a) comments on dossiers and the suggested restrictions; Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (4), amending provision, numbered paragraph (6), first subparagraph, point (b)				
75	(b) a socio-economic analysis including an analysis of alternatives, or information which can contribute to one of the suggested restrictions, examining the advantages and drawbacks of the proposed restrictions.	(b) a socio-economic analysis including an analysis of alternatives, or information which can contribute to one of the suggested restrictions, examining the advantages and drawbacks of the proposed restrictions.	(b) a socio-economic analysis including an analysis of alternatives, or information which can contribute to one of the suggested restrictions, examining the advantages and drawbacks of the proposed restrictions.	(b) a socio-economic analysis including an analysis of alternatives, or information which can contribute to one of the suggested restrictions, examining the advantages and drawbacks of the proposed restrictions. Text Origin: Commission Proposal
Article 1, first paragraph, point (4), amending provision, numbered paragraph (6), second subparagraph				
76	The analysis referred to in the first subparagraph, point (b), shall conform to the requirements in Annex XVI to Regulation (EC) No 1907/2006.	The analysis referred to in the first subparagraph, point (b), shall conform to the requirements in Annex XVI to Regulation (EC) No 1907/2006.	The analysis referred to in the first subparagraph, point (b) b , shall conform to the requirements in Annex XVI to Regulation (EC) No 1907/2006 No 1907/2006 for those requirements that relate to the criteria set out in Article 6(1).	The analysis referred to in the first subparagraph, point (b), shall conform to the requirements in Annex XVI to Regulation (EC) No 1907/2006 <u>No 1907/2006 for those requirements that relate to the criteria set out in Article 6(1).</u> Text Origin: Council Mandate
Article 1, first paragraph, point (4), amending provision, ninth paragraph				
77	Article 6b	Article 6b	Article 6b	Article 6b Text Origin: Commission Proposal
Article 1, first paragraph, point (4), amending provision, tenth paragraph				
78	Opinion of the Agency's Committees	Opinion of the Agency's Committees	Opinion of the Agency's Committees	Opinion of the Agency's Committees Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (4), amending provision, numbered paragraph (1)				
79	1. Within 12 months from the date of publication referred to in Article 6a(6), the Committee for Risk Assessment shall adopt an opinion as to whether the restriction is appropriate in reducing the risk to human health or the environment, specifically by reference to the risks set out in Article 6(1), third subparagraph, based on its consideration of the relevant parts of the dossier. This opinion shall take account of the restriction dossier prepared by the Agency at the request of the Commission or by the Member State, and the views of interested parties referred to in Article 6a(6), point (a).	1. Within 12 months from the date of publication referred to in Article 6a(6), the Committee for Risk Assessment shall adopt an opinion as to whether the restriction is appropriate in reducing the risk to human health or the environment, specifically by reference to the risks set out in Article 6(1), third subparagraph, based on its consideration of the relevant parts of the dossier. This opinion shall take account of the restriction dossier prepared by the Agency at the request of the Commission or by the Member State, and the views of interested parties referred to in Article 6a(6), point (a).	1. Within 12 months from the date of publication referred to in Article 6a(6), the Committee for Risk Assessment shall adopt an opinion as to whether the restriction according to Annex IX , is appropriate in reducing the risk to human health or the environment, specifically by reference to the risks set out in negative impacts described in Article 6(1), third subparagraph, based on its consideration of the relevant parts of the dossier. This opinion shall take account of the restriction dossier prepared by the Agency at the request of the Commission or by the Member State, and the views of interested parties referred to in Article 6a(6), point (a) a).	CL to come back
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2)				
80	2. Within 15 months from the date of publication referred to in Article 6a(6), the Committee for Socio-economic Analysis, shall adopt an opinion on the proposed restrictions, based on its consideration of the relevant parts of the dossier and the socio-economic impact. Prior to that, it	2. Within 15 months from the date of publication referred to in Article 6a(6), the Committee for Socio-economic Analysis, shall adopt an opinion on the proposed restrictions, based on its consideration of the relevant parts of the dossier and the socio-economic impact. Prior to that, it	2. Within 15 months from the date of publication referred to in Article 6a(6), the Committee for Socio-economic Analysis, shall adopt an opinion on the proposed restrictions, based on its consideration of the relevant parts of the dossier and the socio-economic impact. Prior to that, it	2. Within 15 months from the date of publication referred to in Article 6a(6), the Committee for Socio-economic Analysis, shall adopt an opinion on the proposed restrictions, based on its consideration of the relevant parts of the dossier and the socio-economic impact. Prior to that, it

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	shall prepare a draft opinion on the suggested restrictions and on the related socio-economic impact, taking account any existing analysis or information according to Article 6a(6), point (b).	shall prepare a draft opinion on the suggested restrictions and on the related socio-economic impact, taking account any existing analysis or information according to Article 6a(6), point (b).	shall prepare a draft opinion on the suggested restrictions and on the related socio-economic impact, taking account any existing analysis or information according to Article 6a(6), point (b) b .	shall prepare a draft opinion on the suggested restrictions and on the related socio-economic impact, taking account any existing analysis or information according to Article 6a(6), point (b). Text Origin: Commission Proposal
Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)				
81	3. The Agency shall publish the draft opinion of the Committee for Socio-economic Analysis on its website without delay and invite interested parties to provide their comments on the draft opinion no later than 60 days from its publication.	3. The Agency shall publish the draft opinion of the Committee for Socio-economic Analysis on its website without delay and invite interested parties to provide their comments on the draft opinion no later than 60 days from its publication.	3. The Agency shall publish the draft opinion of the Committee for Socio-economic Analysis on its website without delay and invite interested parties to provide their comments on the draft opinion no later than 60 days from its publication.	3. The Agency shall publish the draft opinion of the Committee for Socio-economic Analysis on its website without delay and invite interested parties to provide their comments on the draft opinion no later than 60 days from its publication. Text Origin: Commission Proposal
Article 1, first paragraph, point (4), amending provision, numbered paragraph (4)				
82	4. The Committee for Socio-economic Analysis shall without delay adopt its opinion, taking into account where appropriate further comments received by the deadline set in paragraph 3. This opinion shall take into account the comments of interested parties submitted under Article 6a(6), point (a), and paragraph 3 of this Article.	4. The Committee for Socio-economic Analysis shall without delay adopt its opinion, taking into account where appropriate further comments received by the deadline set in paragraph 3. This opinion shall take into account the comments of interested parties submitted under Article 6a(6), point (a), and paragraph 3 of this Article.	4. The Committee for Socio-economic Analysis shall without delay adopt its opinion, taking into account where appropriate further comments received by the deadline set in paragraph 3. This opinion shall take into account the comments of interested parties submitted under Article 6a(6), point (a) a , and paragraph 3 of this Article.	4. The Committee for Socio-economic Analysis shall without delay adopt its opinion, taking into account where appropriate further comments received by the deadline set in paragraph 3. This opinion shall take into account the comments of interested parties submitted under Article 6a(6), point (a), and paragraph 3 of this Article.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 1, first paragraph, point (4), amending provision, numbered paragraph (5)				
83	5. Where the opinion of the Committee for Risk Assessment diverges significantly from the restrictions proposed, the Agency shall postpone the deadline for the opinion of the Committee responsible for Socio-economic Analysis by a maximum of 90 days.	5. Where the opinion of the Committee for Risk Assessment diverges significantly from the restrictions proposed, the Agency shall postpone the deadline for the opinion of the Committee responsible for Socio-economic Analysis by a maximum of 90 days.	5. Where the opinion of the Committee for Risk Assessment diverges significantly from the restrictions proposed, the Agency shall postpone the deadline for the opinion of the Committee responsible for Socio-economic Analysis by a maximum of 90 days.	5. Where the opinion of the Committee for Risk Assessment diverges significantly from the restrictions proposed, the Agency shall postpone the deadline for the opinion of the Committee responsible for Socio-economic Analysis by a maximum of 90 days. Text Origin: Commission Proposal
Article 1, first paragraph, point (4), amending provision, numbered paragraph (6)				
84	6. For the purpose of adopting opinions pursuant to this article, Article 87 of Regulation (EC) No 1907/2006 shall apply mutatis mutandis.	6. For the purpose of adopting opinions pursuant to this article, Article 87 of Regulation (EC) No 1907/2006 shall apply mutatis mutandis.	6. For the purpose of adopting opinions pursuant to this article, Article 87 of Regulation (EC) No 1907/2006 shall apply mutatis mutandis.	6. For the purpose of adopting opinions pursuant to this article, Article 87 of Regulation (EC) No 1907/2006 shall apply mutatis mutandis. Text Origin: Commission Proposal
Article 1, first paragraph, point (4), amending provision, seventeenth paragraph				
85	Article 6c	Article 6c	Article 6c	Article 6c Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (4), amending provision, eighteenth paragraph			
86	Submission of an opinion to the Commission	Submission of an opinion to the Commission	Submission of an opinion to the Commission	Submission of an opinion to the Commission Text Origin: Commission Proposal
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (1)			
87	<p>1. The Agency shall submit to the Commission, without delay, the opinions of the Committees for Risk Assessment and Socio-economic Analysis on the restrictions suggested pursuant to Article 6b. Where the opinions of the Committees for Risk Assessment and Socio-economic Analysis diverge significantly from the restrictions suggested by the dossier, the Agency shall submit an explanatory note to the Commission providing a detailed explanation of the reasons for such differences. If one or both of the Committees do not adopt an opinion by the deadlines set in Article 6b(1) and (2) the Agency shall inform the Commission accordingly, stating the reasons.</p>	<p>1. The Agency shall submit to the Commission, without delay, the opinions of the Committees for Risk Assessment and Socio-economic Analysis on the restrictions suggested pursuant to Article 6b. Where the opinions of the Committees for Risk Assessment and Socio-economic Analysis diverge significantly from the restrictions suggested by the dossier, the Agency shall submit an explanatory note to the Commission providing a detailed explanation of the reasons for such differences. If one or both of the Committees do not adopt an opinion by the deadlines set in Article 6b(1) and (2) the Agency shall inform the Commission accordingly, stating the reasons.</p>	<p>1. The Agency shall submit to the Commission, without delay, the opinions of the Committees for Risk Assessment and Socio-economic Analysis on the restrictions suggested pursuant to Article 6b. Where the opinions of the Committees for Risk Assessment and Socio-economic Analysis diverge significantly from the restrictions suggested by the dossier, the Agency shall submit an explanatory note to the Commission providing a detailed explanation of the reasons for such differences. If one or both of the Committees do not adopt an opinion by the deadlines set in Article 6b(1) and (2) the Agency shall inform the Commission accordingly, stating the reasons.</p>	<p>1. The Agency shall submit to the Commission, without delay, the opinions of the Committees for Risk Assessment and Socio-economic Analysis on the restrictions suggested pursuant to Article 6b. Where the opinions of the Committees for Risk Assessment and Socio-economic Analysis diverge significantly from the restrictions suggested by the dossier, the Agency shall submit an explanatory note to the Commission providing a detailed explanation of the reasons for such differences. If one or both of the Committees do not adopt an opinion by the deadlines set in Article 6b(1) and (2) the Agency shall inform the Commission accordingly, stating the reasons.</p> Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (2)			
88	2. The Agency shall publish the opinions of both Committees on its website without delay.	2. The Agency shall publish the opinions of both Committees on its website without delay.	2. The Agency shall publish the opinions of both Committees on its website without delay.	2. The Agency shall publish the opinions of both Committees on its website without delay. Text Origin: Commission Proposal
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)			
89	3. The Agency shall, on request, provide the Commission or Member State with all documents and evidence submitted to or considered by it.;	3. The Agency shall, on request, provide the Commission or Member State with all documents and evidence submitted to or considered by it.;	3. The Agency shall, on request, provide the Commission or Member State with all documents and evidence submitted to or considered by it.;	3. The Agency shall, on request, provide the Commission or Member State with all documents and evidence submitted to or considered by it.;
	Article 1, first paragraph, point (4a)			
89a		<u>(4a) In Article 20, the following paragraph is inserted:</u>	(3a) Article 20 is amended as follows: moved from 63d	<u>(3a) Article 20 is amended as follows:</u> Text Origin: Council Mandate
	Article 1, first paragraph, point (4a), amending provision, first paragraph			
89b			(a) paragraph 1 is replaced by the following: moved from 63e	<u>(a) paragraph 1 is replaced by the following:</u> Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (4a), amending provision, second paragraph				
89c			<p>‘</p> <p>(1) The power to adopt the delegated acts referred to in Article 4(2), Article 5(1) and Article 6 shall be conferred on the Commission for a period of 5 years from 21 July 2011. The Commission shall draw up a report in respect of delegated powers at the latest 6 months before the end of the 5-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council revokes it in accordance with Article 21.</p> <p>’</p> <p>moved from 63f</p>	<p>‘</p> <p><u>(1) The power to adopt the delegated acts referred to in Article 4(2), Article 5(1) and Article 6 shall be conferred on the Commission for a period of 5 years from 21 July 2011. The Commission shall draw up a report in respect of delegated powers at the latest 6 months before the end of the 5-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council revokes it in accordance with Article 21.</u></p>
Article 1, first paragraph, point (4a), amending provision, numbered paragraph (1a)				
89d		‘	<p>(b) the following paragraph 1a is inserted after paragraph 1:</p> <p>moved from 63g</p>	<p><u>(b) the following paragraph 1a is inserted after paragraph 1:</u></p> <p>Text Origin: Council Mandate</p>
Article 1, first paragraph, point (4a), amending provision, fourth paragraph				
89e		<p><u>“1a. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the</u></p>	<p>‘</p> <p>(1a) Before adopting a delegated act, the Commission shall consult experts designated by each Member State in</p>	<p>‘</p> <p><u>(1a) Before adopting a delegated act, the Commission shall consult experts designated by each Member State in</u></p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>Interinstitutional Agreement of 13 April 2016 on Better Law-Making.</i></u>	accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. moved from 63h	<u><i>accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.</i></u>
Article 1, first paragraph, point (4b)				
g	89f	<u><i>(4b) In Article 24, the following paragraph is added:</i></u>		deleted
Article 1, first paragraph, point (4b), amending provision, numbered paragraph (2a) paragraph				
g	89g	<u><i>“2a. The Commission shall monitor the situation regarding the resources of the European Chemicals Agency and the tasks, workload and remit of the scientific committees of the European Chemicals Agency and present, where necessary, a legislative proposal to reflect any needs of the European Chemicals Agency stemming from tasks introduced by this Regulation and to improve the governance of its scientific committees. ”</i></u>		deleted

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (5)				
89h			5. In Article 24, the following paragraph 3 is added:	<u>5. In Article 24, the following paragraph 3 is added:</u> Text Origin: Council Mandate
Article 1, first paragraph, point (5), amending provision, numbered paragraph (3)				
89i			(3) Taking due account of any regulatory developments concerning the status of the resources and the governance of the scientific committees of the European Chemicals Agency, the Commission shall monitor the situation regarding the tasks, workload and remit of the scientific committees, and where necessary present a legislative proposal to amend accordingly this directive.	<u>(3) Taking due account of any regulatory developments concerning the status of the resources and the governance of the scientific committees of the European Chemicals Agency, the Commission shall monitor the situation regarding the tasks, workload and remit of the scientific committees, and where necessary present a legislative proposal to amend accordingly this directive.</u> Text Origin: Council Mandate
Article 1, first paragraph, point (6)				
89j			6. The following Annex IX is added:	<u>6. The following Annex IX is added:</u> Text Origin: Council Mandate
Article 1, first paragraph, point (6), first subparagraph, amending provision, first subparagraph				
89k			ANNEX IX	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (6), first subparagraph, amending provision, second paragraph				
89l			Dossiers for restriction proposals	<u>Dossiers for restriction proposals</u> Text Origin: Council Mandate
Article 1, first paragraph, point (6), first subparagraph, amending provision, third paragraph				
89m			The proposals to review and amend the list of restricted substances, or a group of similar substances, in Annex II shall contain at least the following information:	<u>The proposals to review and amend the list of restricted substances, or a group of similar substances, in Annex II shall contain at least the following information:</u> Text Origin: Council Mandate
Article 1, first paragraph, point (6), first subparagraph, amending provision, third paragraph, point (1)				
89n			(1) The identity of the substance;	<u>(1) The identity of the substance;</u> Text Origin: Council Mandate
Article 1, first paragraph, point (6), first subparagraph, amending provision, third paragraph, point (2)				
89o			(2) a precise and clear wording of the entry of the proposed restriction in Annex II;	<u>(2) a precise and clear wording of the entry of the proposed restriction in Annex II;</u> Text Origin: Council Mandate
Article 1, first paragraph, point (6), first subparagraph, amending provision, third paragraph, point (3)				
89p			(3) references and scientific evidence for the restriction;	<u>(3) references and scientific evidence for the restriction;</u> Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (6), first subparagraph, amending provision, third paragraph, point (4)				
g	89q		(4) information on the use of the substance or the group of similar substances in EEE;	<u>(4) information on the use of the substance or the group of similar substances in EEE;</u> Text Origin: Council Mandate
Article 1, first paragraph, point (6), first subparagraph, amending provision, third paragraph, point (5)				
g	89r		(5) information on detrimental effects and exposure in particular during waste EEE management operations;	<u>(5) information on detrimental effects and exposure in particular during waste EEE management operations;</u> Text Origin: Council Mandate
Article 1, first paragraph, point (6), first subparagraph, amending provision, third paragraph, point (6)				
g	89s		(6) information on possible substitutes and other alternatives, their availability and reliability;	<u>(6) information on possible substitutes and other alternatives, their availability and reliability;</u> Text Origin: Council Mandate
Article 1, first paragraph, point (6), first subparagraph, amending provision, third paragraph, point (7)				
g	89t		(7) justification for considering a Union-wide restriction as the most appropriate measure;	<u>(7) justification for considering a Union-wide restriction as the most appropriate measure;</u> Text Origin: Council Mandate
Article 1, first paragraph, point (6), first subparagraph, amending provision, third paragraph, point (8)				
g	89u		(8) socioeconomic assessment.	<u>(8) socioeconomic assessment.</u> Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 2				
90	Article 2	Article 2	Article 2	Article 2 Text Origin: Commission Proposal
Article 2, first paragraph				
91	The provisions under this Directive shall be applicable from [OJ: 12 months after the publication of this Directive].	The provisions under this Directive shall be applicable from [OJ: 12 ¹⁸ months after the publication of this Directive].	The provisions under this Directive shall be applicable from [OJ: 12 ²⁴ months after the publication of this Directive].	The provisions under this Directive shall be applicable from [OJ: 12 ²⁰ months after the publication of this Directive]. Text Origin: Council Mandate
Article 3				
92	Article 3		Article 3	Article 3 Text Origin: Commission Proposal
Article 3, first paragraph				
93	This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.		This Directive shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> Official Journal of the European Union.	This Directive shall enter into force on the twentieth day following that of its publication in the <u>Official Journal of the European Union</u> Official Journal of the European Union . Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 4				
94	Article 4		Article 4	Article 4 Text Origin: Commission Proposal
Article 4, first paragraph				
95	This Directive is addressed to the Member States.		This Directive is addressed to the Member States.	This Directive is addressed to the Member States. Text Origin: Commission Proposal
Formula				
96	Done at Brussels,		Done at Brussels,	Done at Brussels, Text Origin: Commission Proposal
Formula				
97	For the European Parliament		For the European Parliament	For the European Parliament Text Origin: Commission Proposal
Formula				
98	The President		The President	The President Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Formula			
99	For the Council		For the Council	For the Council Text Origin: Commission Proposal
	Formula			
100	The President		The President	The President Text Origin: Commission Proposal