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WORKING PAPER

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From:	Presidency
To:	Working Party on Technical Harmonisation (Goods package)
Subject:	Delegated vs implementing acts: RO Presidency proposal

ARTICLE 12 - PARAGRAPH 2 a (new)				
164B				<u>2a. For certain products or category of products, where specific risks or serious breaches with applicable Union harmonisation legislation have been continuously identified, and in order to ensure high level of protection of health and safety or other public interests protected by that legislation, the Commission, taking duly into account the considerations of the Network established under Article 31, shall adopt delegated acts implementing acts in accordance with the examination procedure referred to in Article 63(2) in accordance with Article 62a determining the uniform conditions of checks, criteria for determination of the frequency of checks and amount of samples to be checked in relation to these products or category of products on the Union level.</u> <i>Moved from art. 15 para. 1b - EP Proposal (row 215D)</i>

ARTICLE 26 - PARAGRAPH 8 a (new)			
304A	<i>8a. In order to ensure a consistent enforcement of Union harmonisation legislation, to strengthen the controls on products entering the Union market and to ensure an effective and uniform level of such controls, the Commission, taking duly into account the considerations of the Network established under Article 31, shall adopt delegated acts in accordance with Article 62a determining common objectives, benchmarks and techniques for checks on the basis of common risk analysis on the Union level.</i> AM 167		<i>8a. In order to ensure a consistent enforcement of Union harmonisation legislation, to strengthen the controls on products entering the Union market and to ensure an effective and uniform level of such controls, the Commission, taking duly into account the considerations of the Network established under Article 31, shall adopt delegated implementing acts in accordance with the examination procedure referred to in Article 63(2). Article 62a determining common objectives, benchmarks and techniques for checks on the basis of common risk analysis on the Union level.</i>