

Declarations on Council Decision 1999/468/EC (28 June 1999)

Caption: Declarations on Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission.

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Declarations on Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (1999/C 203/01)

1. COMMISSION STATEMENT (ad Article 4)

Under the management procedure, the Commission would recall that its constant practice is to try to secure a satisfactory decision which will also muster the widest possible support within the Committee.

The commission will take account of the position of the members of the Committee and act in such a way as to avoid going against any predominant position which might emerge against the appropriateness of an implementing measure.

2. COUNCIL AND COMMISSION STATEMENT

The Commission and the Council agree that provisions relating to committees assisting the Commission in the exercise of implementing powers provided for in application of Decision 87/373/EEC should be adjusted without delay in order to align them with Articles 3, 4, 5 and 6 of Decision 1999/468/EC in accordance with the appropriate legislative procedures.

Such adjustment should be made as follows:

- current procedure I would be turned into the new advisory procedure;
- current procedures II(a) and II(b) would be turned into the new management procedure;
- current procedures III(a) and III(b) would be turned into the new regulatory procedure.

A modification of the type of committee provided for in a basic instrument should be made, on a case by case basis, in the course of normal revision of legislation, guided *inter alia* by the criteria provided for in Article 2.

Such adjustment or modification should be made in compliance with the obligations incumbent on the Community institutions. It should not have the effect of jeopardising attainment of the objectives of the basic instrument or the effectiveness of Community action.

3. COMMISSION STATEMENT (ad Article 5)

In the review of proposals for implementing measures concerning particularly sensitive sectors, the Commission, in order to find a balanced solution, will act in such a way as to avoid going against any predominant position which might emerge within the Council against the appropriateness of an implementing measure.