COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 19.11.1996
COM(96) 534 final

94/0194 (SYN)

Re-examined proposal for a

COUNCIL DECISION

establishing

a reciprocal exchange of information and data from networks and individual stations measuring ambient air pollution within the Member States

(presented by the Commission pursuant to Article 189 c (d) of the EC Treaty)

EXPLANATORY MEMORANDUM

The Commission adopted a "Proposal for a Council Decision establishing a reciprocal exchange of information and data from networks and individual stations measuring ambient air pollution within the Member States" on 7 September 1994.[1]

The Economic and Social Committee delivered its opinion on 22 February 1995.[2]

The European Parliament delivered its opinion at first reading on 16 June 1995.[3]

On 29 November 1995 the Commission adopted an amended proposal in accordance with Article 189a(2) of the EC Treaty. The proposal included - in full, in part or in principle - 10 of the 11 amendments proposed.[4]

On 26 February 1996 the Council adopted a common position on the Commission's amended proposal.[5]

Parliament examined the Council's common position at second reading on 18 September 1996 and approved it subject to four proposed amendments.[6]

The Commission has examined the amendments proposed by Parliament at second reading and included all of them in its re-examined proposal.

Amendment No 1

This simplifies the title of the proposal. The proposed wording still covers the objective of the Decision, but is easier to use in practice. It is acceptable on those grounds.

Amendments Nos 2 and 3

These concern the availability to the public, upon request, of the information gathered within the framework of the Decision. They are in line with the Commission's policy on transparency and public access to information. However, instead of setting up a complex and costly system the Commission wishes to use existing means to achieve this end. Accordingly, it deems it appropriate to use the network developed by the European Environment Agency to disseminate the information, as well as the channels of dissemination developed in and by the Member States themselves.

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1 OJ C 281, 7.10.1994.

2 OJ C 110, 2.5.1995.

3 OJ C 166, 3.7.1995, p. 177.

4 OJ C 30, 3.2.1996, p. 8.

5 OJ C 219, 27.7.1996, p. 1.

6 Provisional minutes of the session of 18.9.1996, doc. PE252.049, Part 2, pages 3-4.

Amendment No 4

This concerns the preparation by the Commission of a general report on the information gathered and on trends in air quality in Europe. Such a publication is clearly necessary and useful for informing the public and providing a better understanding of the problems in this area, which is why it is being accepted.

Re-examined proposal for a

COUNCIL DECISION

establishing

a reciprocal exchange of information and data from networks and individual stations measuring ambient air pollution within the Member States

Original text	Amended text
(Amendment No 1) Title	
Proposal for a Council Decision	Proposal for a Council Decision
establishing a reciprocal exchange of information and data from networks and individual stations measuring ambient air pollution within the Member States.	concerning the measurement and exchange of information on ambient air pollution.
(Amendment No 2) Article 4(3)	
3. Six months after the entry into force of this Decision at the latest, the Commission will make available to the Member States the existing database containing the information already collected by its services on the subject, and software enabling it to be used and updated. The Member States shall correct, amend and/or supplement that information. The updated computer files shall be sent to the Commission during the second year following the entry into force of this Decision and by 1 October at the latest.	3. Six months after the entry into force of this Decision at the latest, the Commission will make available to the Member States the existing database containing the information already collected by its services on the subject, and software enabling it to be used and updated. The Member States shall correct, amend and/or supplement that information. The updated computer files shall be sent to the Commission during the second year following the entry into force of this Decision and by 1 October at the latest. This information will be accessible to the public via the information system set up on the Internet by the European Environment Agency; it may also be supplied by the Agency or by the Member States upon request.

(Amendment No 3)
Article 5(6)

6. The Commission shall include the transmitted data in its database and prepare each year a technical report on the information collected and shall make available to the Member States the updated "results" database. This report will only be based on validated data.	6. The Commission shall include the transmitted data in its database and prepare each year a technical report on the information collected and shall make available to the Member States the updated "results" database. The information will be accessible to the public via the information system set up on the Internet by the European Environment Agency; it may also be supplied by the Agency upon request. The information, whether accessible, supplied or included in the report, will be based only on validated data.

(Amendment No 4)
Article 5(6a) (new)

	The Commission shall prepare a general report for the public, summarising the collected data and outlining the underlying trends in air quality in the European Union.

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DOCUMENTS

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