Tuesday 20 November 2012

III

(Preparatory acts)

EUROPEAN PARLIAMENT

P7_TA(2012)0412

Jurisdiction and the recognition and enforcement of judgments in civil and commercial matters ***I

European Parliament legislative resolution of 20 November 2012 on the proposal for a regulation of the European Parliament and of the Council on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast) (COM(2010)0748 — C7-0433/2010 — 2010/0383(COD))

(Ordinary legislative procedure — recast)

(2015/C 419/33)

The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2010)0748) and to the impact assessment carried out by the Commission (SEC(2010)1547),

— having regard to Article 294(2), Article 67(4) and points (a), (c) and (e) of Article 81(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0433/2010),

— having regard to Article 294(3) of the Treaty on the Functioning of the European Union,

— having regard to the reasoned opinion submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Netherlands Senate and the Netherlands House of Representatives, asserting that the draft legislative act does not comply with the principle of subsidiarity,

— having regard to the opinion of the European Economic and Social Committee of 5 May 2011 ([1]),

— having regard to the Interinstitutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts ([2]),

— having regard to the undertaking given by the Council representative by letter of 24 October 2012 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,

— having regard to Rules 87 and 55 of its Rules of Procedure,

— having regard to the report of the Committee on Legal Affairs and the opinion of the Committee on Employment and Social Affairs (A7-0320/2012),

([1]) OJ C 218, 23.7.2011, p. 78.
([2]) OJ C 77, 28.3.2002, p. 1.

A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the proposal in question does not include any substantive amendments other than those identified as such in the proposal and whereas, as regards the codification of the unchanged provisions of the earlier acts together with those amendments, the proposal contains a straightforward codification of the existing texts, without any change in their substance;

1. Adopts its position at first reading hereinafter set out, taking into account the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission;

2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;

3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

P7_TC1-COD(2010)0383

Position of the European Parliament adopted at first reading on 20 November 2012 with a view to the adoption of Regulation (EU) No …/2012 of the European Parliament and of the Council on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (Recast)

(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU) No 1215/2012.)

P7_TA(2012)0413

Marketing and use of explosives precursors ***I

European Parliament legislative resolution of 20 November 2012 on the proposal for a regulation of the European Parliament and of the Council on the marketing and use of explosives precursors (COM(2010)0473 — C7-0279/2010 — 2010/0246(COD))

(Ordinary legislative procedure: first reading)

(2015/C 419/34)

The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2010)0473),

— having regard to Article 294(2) and Article 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0279/2010),

— having regard to Article 294(3) of the Treaty on the Functioning of the European Union,

— having regard to the opinion of the European Economic and Social Committee of 19 January 2011 ([1]),

— having regard to the undertaking given by the Council representative by letters of 11 July 2012 and of 17 October 2012 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,

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([1]) OJ C 84, 17.3.2011, p. 25.