

Wednesday 22 September 2010

2. Approves Council's position on Draft amending budget No 7/2010 unamended and instructs its President to declare that Amending budget No 5/2010 has been definitively adopted and to arrange for its publication in the *Official Journal of the European Union*;
3. Instructs its President to forward this resolution to the Council and the Commission.

Refund of value added tax *

P7_TA(2010)0330

European Parliament legislative resolution of 22 September 2010 on the proposal for a Council directive amending Directive 2008/9/EC laying down detailed rules for the refund of value added tax, provided for in Directive 2006/112/EC, to taxable persons not established in the Member State of refund but established in another Member State (COM(2010)0381 – C7-0201/2010 – 2010/0205(CNS))

(2012/C 50 E/14)

(Special legislative procedure – consultation)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2010)0381),
- having regard to Article 113 of the Treaty on the Functioning of the European Union pursuant to which the Council consulted Parliament (C7-0201/2010),
- having regard to the opinion of the European Economic and Social Committee of 15 September 2010 ⁽¹⁾,
- having regard to Rule 55 of its Rules of Procedure,
- having regard to the report of the Committee on Economic and Monetary Affairs (A7-0247/2010),

1. Approves the Commission proposal as amended;
2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 293(2) of the Treaty on the Functioning of the European Union;
3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
5. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

⁽¹⁾ Not yet published in the Official Journal.

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TEXT PROPOSED BY THE COMMISSION

AMENDMENT

Amendment 1

Proposal for a directive – amending act

Recital 6

(6) *The measures necessary* for the implementation of the detailed rules, including common forms where necessary, on the electronic submissions and notifications referred to in Directive 2008/9/EC **should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission.**

(6) ***Uniform conditions should be ensured*** for the implementation of the detailed rules, including common forms where necessary, on the electronic submissions and notifications referred to in Directive 2008/9/EC. **Article 291 of the Treaty on the Functioning of the European Union provides that rules and general principles concerning mechanisms for the control by Member States of the Commission's exercise of its implementing powers be laid down in advance by a regulation adopted in accordance with the ordinary legislative procedure. Pending the adoption of such a regulation, Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾ continues to apply, with the exception of the regulatory procedure with scrutiny, which is not applicable within the framework of this Directive.**

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

Pharmacovigilance of medicinal products (amendment of Regulation (EC) No 726/2004) *I**

P7_TA(2010)0331

European Parliament legislative resolution of 22 September 2010 on the proposal for a regulation of the European Parliament and of the Council amending, as regards pharmacovigilance of medicinal products for human use, Regulation (EC) No 726/2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency (COM(2008)0664 – C6-0515/2008 – 2008/0257(COD))

(2012/C 50 E/15)

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2008)0664),
- having regard to Article 251(2) and Article 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0515/2008),
- having regard to the Communication from the Commission to the European Parliament and the Council entitled 'Consequences of the entry into force of the Treaty of Lisbon for ongoing interinstitutional decision-making procedures' (COM(2009)0665),
- having regard to Article 294(3) and Article 114 and Article 168(4)(c) of the Treaty on the Functioning of the European Union,