

Tuesday 16 December 2008

**P6\_TC1-COD(2008)0122**

**Position of the European Parliament adopted at first reading on 16 December 2008 with a view to the adoption of Decision No .../2009/EC of the European Parliament and of the Council amending Council Decision 2001/470/EC establishing a European Judicial Network in civil and commercial matters**

*(As an agreement was reached between Parliament and Council, Parliament's position at first reading corresponds to the final legislative act, Decision No 568/2009/EC.)*

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ANNEX

JOINT STATEMENT ON THE COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES

The European Parliament and the Council invite the Commission to ask representatives of the Court of Justice, at the level and in the way which the Court deems appropriate, to attend meetings of the European Judicial Network on civil and commercial matters.

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**European Works Council (Recast) \*\*\*I**

P6\_TA(2008)0602

**European Parliament legislative resolution 16 December 2008 on the proposal for a directive of the European Parliament and of the Council on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees (recast) (COM(2008)0419 — C6-0258/2008 — 2008/0141(COD))**

(2010/C 45 E/36)

(Codecision procedure — recast)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2008)0419),
- having regard to Article 251(2) and Article 137 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0258/2008),
- having regard to the undertakings given by the Council representative by letter of 10 December 2008 to adopt the proposal as amended, in accordance with Article 251(2), second subparagraph, first indent of the EC Treaty,
- having regard to the Interinstitutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts <sup>(1)</sup>,
- having regard to the letter of 9 October 2008 from the Committee on Legal Affairs to the Committee on Employment and Social Affairs in accordance with Rule 80a(3) of its Rules of Procedure,

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<sup>(1)</sup> OJ C 77, 28.3.2002, p. 1.

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- having regard to Rules 80a and 51 of its Rules of Procedure,
  - having regard to the report of the Committee on Employment and Social Affairs (A6-0454/2008),
- 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 straight-forward codification of the existing texts, without any change in their substance,
1. Approves the Commission proposal as adapted to the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission and as amended below;
  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 and Commission.

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#### P6\_TC1-COD(2008)0141

### **Position of the European Parliament adopted at first reading on 16 December 2008 with a view to the adoption of Directive 2009/.../EC of the European Parliament and of the Council on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees (Recast)**

*(As an agreement was reached between Parliament and Council, Parliament's position at first reading corresponds to the final legislative act, Directive 2009/38/EC.)*

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### **Transfers of defence-related products \*\*\*I**

P6\_TA(2008)0603

### **European Parliament legislative resolution of 16 December 2008 on the proposal for a directive of the European Parliament and of the Council on simplifying terms and conditions of transfers of defence-related products within the Community (COM(2007)0765 — C6-0468/2007 — 2007/0279(COD))**

(2010/C 45 E/37)

(Codecision procedure: first reading)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2007)0765),
- having regard to Article 251(2) and Article 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0468/2007),