



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 30.8.2007
COM(2007) 485 final

2005/0042A (COD)

OPINION OF THE COMMISSION

**pursuant to Article 251 (2), third subparagraph, point (c) of the EC Treaty,
on the European Parliament's amendments
to the Council's common position regarding the
proposal for a**

**Decision of the European Parliament and of the Council establishing a second
Programme of Community action in the field of Health (2007-2013)**

**AMENDING THE PROPOSAL OF THE COMMISSION
pursuant to Article 250 (2) of the EC Treaty**

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Co-decision Procedure

Second Reading

1. INTRODUCTION

Article 251(2), third subparagraph, point (c) of the EC Treaty provides that the Commission is to deliver an opinion on the amendments proposed by the European Parliament at second reading. The Commission sets out its opinion below on the amendments proposed by Parliament.

2. BACKGROUND

The proposal COM (2005)115 final¹ was transmitted to the European Parliament and the Council on 15 April 2005 in accordance with the co-decision procedure pursuant to Article 251 of the EC Treaty.

The Committee of the Regions gave its opinion on 16 February 2006².

The European Economic and Social Committee gave its opinion on 14 February 2006³.

The European Parliament gave its opinion at the first reading on 16 March 2006.

The amended proposal COM (2006)234 final⁴ pursuant to Article 250 (2) of the EC Treaty was transmitted to the European Parliament and the Council on 24 May 2006.

Following the opinion of the European Parliament and pursuant to Article 251(2) of the EC Treaty, after a political agreement on 30 November 2006, the Council adopted a Common Position on 22 March 2007⁵. The Commission's Communication on the Common Position COM(2007)150 was adopted on 23 March 2007.

¹ OJ C 172, 12.7.2005
² OJ C 192, 16.08.2006
³ OJ C 88, 11.04.2006
⁴ OJ C 303, 13.12.2006
⁵ OJ C 103E, 08.05.2007

The European Parliament adopted its position at the second reading on 10 July 2007.

3. PURPOSE OF THE PROPOSAL

The programme aims to contribute to protecting the health and safety of citizens through specific actions in the field of health. It enables the EU to complement, support and add value to the policies of the Member States and thus contributes to increased solidarity and prosperity in the EU by protecting and promoting human health and safety and improving public health. The programme for 2007-2013 will have three main objectives: to improve citizens' health security, to promote health, and to generate and disseminate health information and knowledge.

These objectives shall be achieved through a combination of actions and instruments according to the priorities set out in the annual work plans.

4. OPINION OF THE COMMISSION ON THE AMENDMENTS BY THE EUROPEAN PARLIAMENT

4.1. General

On 10 July 2007, the European Parliament adopted a compromise package which had been agreed with the Council in view of reaching a second reading agreement.

Ways were found to respond to the concerns of the Parliament regarding the text of the Programme, by making modifications to the text, while reflecting the spirit of the Commission modified proposal.

The Commission accepts all amendments. The conclusion of the compromise package has been facilitated by a trilateral declaration which quotes the rules of budgetary flexibility for EU programmes under the Inter-Institutional Agreement (article 37) in favour of the health programme (see annex).

4.2 Amended Proposal

Pursuant to Article 250(2) of the EC Treaty, the Commission amends its proposal as set out above.

ANNEX

TRILATERAL DECLARATION REGARDING THE SECOND COMMUNITY HEALTH PROGRAMME 2007-2013

The European Parliament, The Council and the Commission:

- share the view that the 2nd Programme of Community action in the field of Health (2007-2013) must be provided with financial means that allow fully for its implementation;
- recall Article 37 of the Interinstitutional Agreement on budgetary discipline and sound financial management⁶ stating that the budgetary authority and the Commission undertake not to depart by more than 5 % from the budget unless new, objective, long term circumstances arise for which specific reasons are given. Any increase resulting from such variation must remain within the existing ceiling of the heading concerned;
- assure their willingness to evaluate in a sound manner the specific needs and circumstances of the Health Programme in the annual budget procedure.

⁶ OJ C 139 of 14.6.2006