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Subject: Proposal for a Directive of the European Parliament and of the Council on
the quality of water intended for human consumption (recast)
- Opinion of the Consultative Working Party of Legal Services

Delegations will find in Annex the opinion of the Consultative Working Party of Legal Services regarding the above mentioned subject.



GRUPE CONSULTATIF
DES SERVICES JURIDIQUES

Brussels, 30 AVR. 2018

OPINION

FOR THE ATTENTION OF THE EUROPEAN PARLIAMENT
THE COUNCIL
THE COMMISSION

Proposal for a Directive of the European Parliament and of the Council on the quality of water intended for human consumption (recast)

COM(2017) 753 final of 1.2.2018 - 2017/0332 (COD)

Having regard to the Inter-institutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts, and in particular to point 9 thereof, the Consultative Working Party consisting of the respective legal services of the European Parliament, the Council and the Commission met on 19 March 2018 for the purpose of examining the aforementioned proposal submitted by the Commission.

At that meeting¹, an examination of the proposal for a Directive of the European Parliament and of the Council recasting Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption resulted in the Consultative Working Party's establishing, by common accord, that the following should have been marked with the grey-shaded type generally used for identifying substantive changes:

- the deletion of recital 18 of Directive 98/83/EC;
- the deletion of the first sentence of recital 26 of Directive 98/83/EC (*'Whereas it is important to prevent contaminated water causing a potential danger to human health'*);
- in Article 12(3), the replacement of the word *'or'* with the word *'and'*;
- in Article 18(1), first subparagraph, the deletion of the final words *'under the procedure laid down in Article 189c of the Treaty'*;
- in point 1(b) of Part A of Annex II, the replacement of the words *'to demonstrate that the obligations set out in Articles 4 and 5, and the parametric values laid down in Annex I, are being met'* with the words *'to demonstrate that the obligations set out in Article 4 and the parametric values set in accordance with Article 5 are being met'*;
- in point 2 of Part C of Annex II, the replacement of the words *'in point 2 of Part B'* with the words *'considered in the monitoring'*;
- in point 3 of Part C of Annex II, the replacement of the words *'set out in point 2 of Part B'* with the words *'considered in the monitoring'*;

¹ The Consultative Working Party worked on the basis of the English language version of the proposal, being the master-copy language version of the text under discussion.

- in the first paragraph of point 1 of Part B of Annex III, the deletion of the words 'and C'.

In consequence, examination of the proposal has enabled the Consultative Working Party to conclude, without dissent, that the proposal does not comprise any substantive amendments other than those identified as such. The Working Party also concluded, as regards the codification of the unchanged provisions of the earlier act with those substantive amendments, that the proposal contains a straightforward codification of the existing legal text, without any change in its substance.



F. DREXLER
Jurisconsult



H. LEGAL
Jurisconsult



L. ROMERO REQUENA
Director General