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(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 18 December 2006

concerning conclusion of the Agreement between the Government of the United States of America and the European Community on the coordination of energy-efficiency labelling programmes for office equipment

(2006/1005/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133, in conjunction with Article 300(2), first subparagraph, first sentence, and Article 300(4) thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) The Council Decision authorising the Commission to open negotiations for an Agreement between the Government of the United States of America and the European Community on the coordination of energy-efficiency labelling programmes for office equipment was adopted on 5 May 2006.

(2) The negotiations have been concluded and the Agreement between the Government of the United States of America and the European Community on the coordination of energy-efficiency labelling programmes for office equipment (hereinafter referred to as 'the Agreement') was initiated by both Parties on 7 June 2006.

(3) The appropriate internal Community procedures should be established to ensure proper operation of the Agreement.

(4) The market for office equipment is evolving rapidly. It is essential to reassess frequently the potential for maximising energy savings and environmental benefits by stimulating the supply of and demand for energy-efficient products. It is therefore necessary to empower the Commission, assisted by a Community advisory board made up of national representatives and of all interested parties, to reassess and upgrade the Common Specifications for office equipment set out in Annex C to the Agreement regularly and to take certain decisions for implementation of the Agreement, such as the layout of the Energy Star logo and the guidelines for use of the logo contained in Annexes A and B respectively.

(5) Implementation of the Agreement should be reviewed by the Technical Commission established by the Agreement.

(6) Each party to the Agreement should designate a management entity and the procedure for amending the Agreement should be defined.

(7) The Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the Government of the United States of America and the European Community on the coordination of energy-efficiency labelling programmes for office equipment, including its Annexes, is hereby approved on behalf of the Community.

The text of the Agreement and the Annexes thereto are attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the Community.

Article 3

The President of the Council shall, on behalf of the Community, give the notification in writing provided for in Article XIV(1) of the Agreement.

Article 4

1. The Commission shall represent the Community in the Technical Commission provided for in Article VII of the Agreement, after having heard the views of the members of the European Community Energy Star Board established by Regulation (EC) No 2422/2001 of the European Parliament and of the Council ⁽¹⁾. After consulting the European Community Energy Star Board, the Commission shall carry out the tasks referred to in Articles VI(5), VII(1) and (2), and IX(4) of the Agreement.

2. With a view to preparing the position of the Community with regard to amendments to the list of office equipment in Annex C to the Agreement, the Commission shall take into account any opinion given by the European Community Energy Star Board.

3. The position of the Community with regard to decisions to be taken by the management entities shall be determined, with regard to amendments of Annex A (Energy Star name and common logo), Annex B (Guidelines for proper use of the Energy Star name and common logo), and Annex C (Common Specifications) to the Agreement, by the Commission, after consultation of the European Community Energy Star Board.

4. In all other cases, the position of the Community with regard to decisions to be taken by the Parties to the Agreement shall be determined by the Council, acting on a proposal from the Commission in accordance with Article 300 of the Treaty.

Article 5

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 18 December 2006.

For the Council
The President
J.-E. ENESTAM

⁽¹⁾ OJ L 332, 15.2.2001, p. 1.