



**COUNCIL OF
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NOTE

from: Presidency
to: Permanent Representatives Committee / Council

Subject: Single Market Act I + II
- *State of play*

Delegations will find below a Note presenting a general overview of the state of play regarding the priority measures of the Single Market Act I and II. This Note will be examined by the Council (Competitiveness) on 29-30 May 2013.

State of play on the key proposals of the Single Market Act (I+II)

This note presents a general overview of the state of play regarding the priority measures of the Single Market Act I and II. It aims to inform delegations and the President of the EC on current progress, planned steps and areas where further political impetus may be required, in light of timelines mentioned in EC conclusions.

A. SMA I**Standardisation**

EC deadline: June 2012

Current status: Published, Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 (OJ L 316, p. 12 of 14.11.2012). Date of application 1 January 2013.

Unitary Patent

EC deadline: June 2012

Current status: EU legal acts adopted and in force (20 January 2013). Signing of the UPC agreement took place in the margins of the COMPET Council (19 February 2013). Member States agreed on the modalities for implementing the UPC at the inaugural meeting of the Preparatory Committee (26 March 2013). Participating Member States agreed on an exclusively intergovernmental approach.

Planned steps: Next meetings of the PrepCom to take place end of May and end of June.

Venture capital and Social entrepreneurship funds

EC deadline: June 2012.

Current status: Published, Regulation (EU) No 345/2013 of the European Parliament and of the Council and Regulation (EU) No 346/2013 of the European Parliament and of the Council of 17 April 2013 (*OJ L 115 of 25.04.2013*).

Dispute resolution for consumers

EC deadline: June 2012.

Current status: Adopted in April 2013.

Accounting Directive

EC deadline: June 2012.

Current status: Agreement reached at the trilogue of 9 April 2013.

Planned steps: EP Plenary vote in June, formal adoption to be completed during IE Presidency.

Public procurement

EC deadline: December 2012.

Current status: General approach on the whole package (3 Directives) reached in December.

Trilogues ongoing since March, latest on 23 May.

Planned steps: Next trilogue on 28 May. Trilogues and technical meetings with the EP take place in very tight succession and the Working Party and COREPER are constantly involved.

Comments: The EC deadline was missed, including due to the EP timetable. The Presidency is investing a maximum effort; given the intensive work, a first reading agreement by the end of the IE Presidency appears possible.

Mutual recognition of professional qualifications

EC deadline: December 2012.

Current status: Coreper and gave a mandate for negotiations with the EP on 1 March. Trilogues ongoing, latest on 24 April.

Planned steps: Next trilogue on 29 May. The IE Presidency aims to reach a first reading agreement on the file.

Comments: The EC deadline was missed due to the speed of progress in negotiations and taking into account the EP timetable, but work is accelerating and a first reading agreement by the end of the IE Presidency appears possible.

E-signature

EC deadline: December 2012.

Current status: The proposal was adopted in June 2012. A progress report was presented at the December TTE (Telecom) Council.

Planned steps: A progress report is planned at the June TTE (Telecom) Council. Coreper reviewed the file in March 2013.

Comments: The EC deadline was missed given the late Commission proposal and the technical work involved. The objective is to reach agreement by the end of 2013.

Connecting Europe Facility

EC deadline: December 2012.

Current status: The proposal (CEF) was adopted by the Commission in October 2011 and is closely related to the MFF 2014-2020. A partial general approach was reached at the June 2012 TTE Council. Following agreement on the MFF at the February 2013 EC, trilogues started on 19 March.

Planned steps: Trilogues continue (next one on 15 May) with the aim of reaching a first reading agreement during the IE Presidency.

Comments: The EC deadline was missed due to delays, including the horizontal negotiations on the MFF. A first reading agreement during the IE Presidency is dependent on EP consent on the MFF and agreement on the TENs guidelines for Transport and for Telecoms. Consistency will have to be ensured with the three TEN proposals: Transport, Energy, and Telecommunications.

Trans-European networks (energy)

EC deadline: December 2012.

Current status: Published, Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013 (*OJ L 115, 25.4.2013*).

Trans-European networks (telecommunications)

EC deadline: December 2012.

Current status: The proposal was adopted in October 2011. A progress report was presented at the December 2012 TTE (Telecom) Council. The EP ITRE committee vote took place in November 2012.

Planned steps: Start of trilogues postponed pending Commission clarification on the content of the proposal following cut in Telecom section of CEF. The Commission has decided to revise its proposal in light of the European Council conclusions of February 2012 on the MFF and is expected to publish this revised proposal at the end of May 2013.

Comments: Consequently, the EC deadline was missed and while work will be progressed, an agreement will not be possible during the IE Presidency. An agreement during the LT Presidency should be possible. Consistency will have to be ensured with CEF.

Trans-European networks (transport)

EC deadline: December 2012.

Current status: The proposal was adopted by the Commission in October 2011. A general approach was reached at March 2012 TTE Council. The EP TRAN committee vote took place on 18 December 2012.

Planned steps: Trilogues started on 20 February with the aim of reaching a first reading agreement during the IE Presidency. Next trilogue on 29 May.

Comments: The EC deadline was missed due to EP timetable but agreement during the IE Presidency appears possible. Consistency will have to be ensured with CEF.

Posted workers

EC deadline: December 2012.

Current status: Progress reports were presented to the EPSCO Council in June and December 2012. Coreper considered the most sensitive issues (Articles 9 and 12) in March and again in May on the basis of IE Presidency compromise text.

Planned steps: The EP EMPL Committee vote is foreseen end of May 2013. The IE Presidency aims to reach a general approach at the June EPSCO Council.

Comments: The EC deadline was missed given the date of submission of the proposal, the rate of progress and the timetable of the EP, but work on difficult political issues is progressing and agreement by the end of 2013 appears possible.

B. SMA II*

Fourth railway package

EC deadline: May 2014.

Current status: Proposals adopted by the Commission on 30 January. Work has started at WP level. Orientation debate on "interoperability proposal" at TTE Council on 11 March.

Planned steps: Possible general approach on the "interoperability proposal" at the TTE Council on 10 June.

Comments: Given that the "package" contains 6 proposals, their examination will be pursued in 2013 and 2014.

Blue Belt package

EC deadline: May 2014.

Current status: Work not started.

Planned steps: Proposal expected from the Commission in June 2013.

Comments: Any further delays in the presentation of the proposals may hamper prospects for adoption during the current EP term.

* This note does not include the action plan for the implementation of the Single European Sky, the action plan for the 3rd energy package and the decision on EURES development, which fall within the competence of the Commission.

Long-term investment access

EC deadline: May 2014.

Current status: Work not started. The Commission adopted a Green Paper on long-term financing on 25 March 2013.

Planned steps: Proposal expected from the Commission in June 2013.

Comments: Any further delays in the presentation of the proposals may hamper prospects for adoption during the current EP term.

Modernisation of EU insolvency rules

EC deadline: May 2014.

Current status: Proposal adopted by the Commission on 12 December 2012. First WP meeting took place on 14-15 February; most recent meeting on 13 May.

Planned steps: The Presidency intends to complete the first technical examination of the proposal.

Comments: Adoption by the end of the current EP term should be within reach.

Revision of Payment Services Directive & Proposal for multilateral Interchange Fees

EC deadline: May 2014.

Current status: Work not started.

Planned steps: Proposal expected from the Commission before summer 2013.

Comments: Any further delays in the presentation of the proposals may hamper prospects for adoption during the current EP term.

High-speed broadband deployment

EC deadline: May 2014.

Current status: Proposal adopted by the Commission on 27 March 2013.

Planned steps: Work at WP level during IE Presidency. A state of play by the Presidency will be provided at the TTE Council on 6 June.

Comments: Adoption by the end of the current EP term should be within reach.

E-invoicing for public procurement

EC deadline: May 2014.

Current status: Work not started.

Planned steps: Proposal expected from the Commission in June 2013.

Comments: The topic has not been on the agenda of the WP previously. Any further delays in the presentation of the proposals may hamper prospects for adoption during the current EP term.

Product safety package

EC deadline: May 2014.

Current status: The proposals (two Regulations) were adopted by the Commission on 13 February 2013. Presentation of the proposals in the COMPET Council of 19 February.

Planned steps: The IE Presidency will continue work on the proposals at WP level, with a view to completing a first read through of the proposal.

Comments: The IE Presidency and upcoming Presidencies are committed to make progress on the package so that adoption can take place during the current EP term.

Basic payment accounts

EC deadline: May 2014.

Current status: Work not started.

Planned steps: Proposal published by the Commission on 8 May 2013.

Comments: Initial consideration of the proposal is likely to begin during the IE Presidency.