**COUNCIL OF
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ADDENDUM TO REPORT

From:	General Secretariat
To:	Council
No. Cion prop.:	8241/12 MAR 38 TRANS 106 SOC 242
No. prev. doc.:	14489/12 MAR 118 TRANS 316 SOC 800 CODEC 2282
Subject:	Proposal for a Directive of the European Parliament and of the Council concerning flag State responsibilities for the enforcement of Council Directive 2009/13/EC implementing the Agreement concluded by the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) on the Maritime Labour Convention, 2006, and amending Directive 1999/63/EC
	- General approach

Delegations will find attached a statement by <u>Slovenia</u> on the above proposal to be inscribed in the Council minutes.

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Statement by the Republic of Slovenia

"The Republic of Slovenia maintains a general reservation on the proposal, in particular on the issue of the chosen legal basis and the mechanism for implementation.

The Republic of Slovenia argues that since the proposed Directive aims to implement or rather to supplement Directive 2009/13/EC (adopted on the basis of Article 139(2) of the EC Treaty, now Article 155(2) TFEU), which in turn enforces and supplements an agreement between the social partners implementing MLC 2006, it would have been more logical to amend Directive 2009/13/EC on that same legal basis, or at least to amend Directive 2009/21/EC on compliance with Flag State requirements.

In the view of the Republic of Slovenia such an approach would be more in line with the principles guiding the choice of legal basis and of better regulation, simplification and transparency.

The Republic of Slovenia believes that the approach adopted in the general approach does not solve the issue adequately and that Member States will face difficulties when transposing the Directive into their own national legal systems."

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