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ADD 1 COR 1

PV/CONS 43

DRAFT MINUTES

Subject: **3484th** meeting of the Council of the European Union
(GENERAL AFFAIRS), held in Brussels on 20 September 2016

On page 4 of 12400/16 ADD 1, the Statement by Germany on item 2.b) should read as follows:

Statement by Germany on 2.b)

"The Federal Republic of Germany supports the compromises on the political pillar of the Fourth Railway Package, which continue to make it possible for integrated systems to exist while at the same time providing for strong and effective regulation and transparency of the financial flows.

The Federal Republic of Germany considers it important to put on record that in Article 7d, the conditions for a control of the financial transfers for, for instance, dividend payments and loans are stipulated and that recital **7** does not open up any additional rules here.

Furthermore, the Federal Republic of Germany interprets Article 7d and recital **28** as meaning that it is possible for infrastructure managers to pay revenue and dividends directly or via another legal entity within in the undertaking to the owner. The term "owner of the company" to whom the revenue referred to in Article 7d is to be forwarded is to be understood as meaning that not only the state as direct owner of the infrastructure company but also the state as ultimate owner is included."
