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**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 13 June 2014
(OR. en)**

**10243/14
ADD 1**

**PV/CONS 29
COMPET 303
RECH 202
ESPACE 49**

DRAFT MINUTES

Subject: **3317th** meeting of the COUNCIL OF THE EUROPEAN UNION
(**COMPETITIVENESS (Internal Market, Industry, Research and Space)**)
held in Brussels on 26 May 2014

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¹ Deliberations on Union legislative acts (Article 16(8) of the Treaty on European Union), other deliberations open to the public and public debates (Article 8 of the Council's Rules of Procedure).

LEGISLATIVE DELIBERATIONS

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

"A" ITEMS

1. Council Decision on the system of own resources of the European Union

5602/14 RESPR 5 FIN 53 CADREFIN 11 POLGEN 14

+ COR 1 (pt)

+ REV 1 (sl)

The Council adopted the above Decision by unanimity (Legal basis: third paragraph of Article 311 of the Treaty on the Functioning of the European Union, and Article 106a of the Treaty establishing the European Atomic Energy Community).

Statement by the Council

"The Council unanimously endorses the method envisaged by the Commission for the calculation of the United Kingdom correction, which is exposed in detail in the Commission working document as set out in doc. 9858/14. The Council agrees unanimously that the above calculation method fully respects the present Decision, as well as the conclusions of the European Council of 7 and 8 February 2013 and the agreement reached at the European Council of 27 and 28 June 2013."

Statement by Belgium, France, Hungary, Italy, Luxembourg, Poland, Portugal and Spain

"The Member States, underwriters of this statement, underline that the preamble of the Decision on the system of own resources of the European Union does not entirely reflect the conclusions of the European Council of 7 and 8 February 2013.

These Member States consider that these conclusions are an important move forward in the negotiations of the own resources legislative package. According to these conclusions, which reflect the common general position of the Member States, no reference to the conclusions of the European Council in Fontainebleau of 1984 was to be made, nor any assessment on the appropriateness of corrections benefitting specific Member States.

Therefore, taking into account the profound change of the EU and its budget since 1984, the text of recital 3 of the Decision, which was introduced in the current own resources decision on the basis of the December 2005 European Council conclusions, does not prejudge the forthcoming discussions about the review of the own resources system."

2. Council Regulation laying down implementing measures for the system of own resources of the European Union

5600/14 RESPR 4 FIN 52 CADREFIN 10 POLGEN 13

+ COR 1 (fr)

+ REV 1 (sl)

+ REV 2 (hr)

The Council adopted the above Regulation by unanimity (Legal basis: fourth paragraph of Article 311 of the Treaty on the Functioning of the European Union, and Article 106a of the Treaty establishing the European Atomic Energy Community).

"B" ITEMS

3. Proposal for a Directive of the European Parliament and of the Council on package travel and assisted travel arrangements, amending Regulation (EC) No 2006/2004, Directive 2011/83/EU and repealing Council Directive 90/314/EEC [First reading]

(Legal basis proposed by the Commission: Article 114 of the TFEU)

– Progress report

12257/13 CONSOM 140 MI 635 TOUR 3 JUSTCIV 167 CODEC 1764

+ COR 1

+ REV 1 (de)

9322/14 CONSOM 108 MI 394 TOUR 5 JUSTCIV 114 TRANS 245

CODEC 1182

The Council took note of the progress report prepared by the Presidency as set out in doc. 9322/14.

4. Revision of European Trade Mark System [First reading]

(a) Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 207/2009 on the Community trade mark
(Legal basis proposed by the Commission: Article 118(1) of the TFEU)

8065/13 PI 51 CODEC 710

+ REV 1 (es)

(b) Proposal for a Directive of the European Parliament and of the Council to approximate the laws of the Member States relating to trade marks (Recast)
(Legal basis proposed by the Commission: Article 114(1) of the TFEU)

8066/13 PI 52 CODEC 711

+ REV 1 (de)

– Progress report

9558/14 PI 61 CODEC 1215

The Council took note of the progress report as set out in doc. 9558/14, favourably noting the good progress that had been made on both files during the Greek Presidency.

5. Proposal for a Directive of the European Parliament and of the Council on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure [First reading]

– General approach

17392/13 PI 178 CODEC 2842

9870/14 PI 67 CODEC 1295

After an exchange of views, the Council unanimously agreed on the general approach as set out in doc. 9870/14, and mandated the Presidency to enter into informal consultations with the Parliament with a view to reaching a timely agreement on this important file.

7. Proposal for a Regulation of the European Parliament and of the Council concerning type-approval requirements for the deployment of the eCall in-vehicle system and amending Directive 2007/46/EC [First reading]

(Legal basis proposed by the Commission: Article 114 of the TFEU)

– General approach ⁽¹⁾

11124/13 ENT 194 MI 558 CODEC 1506

9879/14 ENT 123 MI 428 CODEC 1299

The Council reached a general approach and mandated the Presidency to enter into informal consultations with the European Parliament with a view to reaching an early agreement in second reading. The agreed text is reflected in doc. 9879/14. UK entered a general reservation on the draft regulation, SI asked for a statement to be included in the Council minutes (as set out hereafter).

Statement by Slovenia

- "1. Slovenia supports objectives of the proposed eCall Regulation and is in favour of the general approach.
2. However, Slovenia remains deeply concerned with the provisions of Article 6.1 on Rules on privacy and data protection.
3. Slovenia fears that the current provisions do not include enough guarantees for possible misuse of the collected data. More specifically, Article 6.1 allows to track vehicles and their drivers before eCall is triggered. In our view, such activities would lack transparency and legitimacy and would not be in line with legislation on data processing.
4. Therefore, Slovenia will return to the issue of data protection in the course of future negotiations. We urge incoming Presidencies to pay due attention to this issue in the future negotiations and consider consulting relevant expert bodies on the issues of data protection and data processing. Slovenia's position on the final compromise will depend also on the outcome of negotiations on Article 6."