



Council of the
European Union

Brussels, 20 January 2015
(OR. en)

16515/14
ADD 1

PV/CONS 65
COMPET 662
RECH 472
ESPACE 93

DRAFT MINUTES

Subject: **3353rd** meeting of the Council of the European Union
(COMPETITIVENESS (Internal Market, Industry, Research and Space))
held in Brussels on 4 and 5 December 2014

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"B" ITEMS (doc. 15984/14 OJ CONS 65 COMPET 643 RECH 457 ESPACE 90)

LEGISLATIVE DELIBERATIONS

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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)

8. 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)

Interinstitutional file: 2013/0246(COD)

– General approach ⁽¹⁾

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

+ COR 1

+ REV 1 (de)

16053/14 CONSUM 257 MI 940 TOUR 29 JUSTCIV 307 CODEC 2358

16054/14 CONSUM 258 MI 941 TOUR 30 JUSTCIV 308 CODEC 2359

+ COR 1

The Council agreed on a general approach, as set out in 16054/14, and mandated the Presidency to enter into negotiations with the European Parliament with a view to an agreement at first reading. BE, BG, CZ, EE, IE, MT, NL and SK indicated they could not support the text of the general approach. LUX and NL made statements as set out hereafter.

Statement by Luxembourg

"Luxembourg welcomes the significant progress made under the Italian Presidency, but wishes to point out that various points need to be considered in greater detail during proceedings under the forthcoming presidencies. Especially with regard to the provisions relating to insolvency protection for assisted travel arrangements, the implementation and supervision of such protection still raises a number of questions for the authorities responsible for transposing the Directive. Serious fears are also being expressed by members of the profession, who are mobilising against the relevant provisions.

The need to ensure legal certainty, the protection of travellers and healthy competition calls for clear, precise and easily applicable rules, in accordance with the requirements of "better regulation": a disproportionate regulatory burden should not be imposed on operators.

Furthermore, a balanced solution should be found for non-cancellable packages offered at more favourable rates; the current proposal would not in fact allow members of the profession to continue proposing such offers. More generally, the Directive should not lead to the disappearance of business models which have added value for travellers and companies.

Luxembourg remains confident that it will be possible to make the necessary adjustments as proceedings continue."

Statement by the Netherlands

"The Netherlands would like to thank the Italian presidency and preceding presidencies for all the effort put into the process of revising the Directive on package travel and assisted travel arrangements.

The old package travel directive is in need of revision, due to the rather dramatic changes on the travel market.

The Netherlands supports the intended improvement of the protection of the consumer. However, the Netherlands feels that the current version of the proposal merits further efforts to both clarify the definitions (most importantly the definition of ATA) as well as elaborate further on the insolvency articles regarding ATA's with a view to optimize value added for both the consumer and traders and at the same time eliminate ambiguity that will cause problems in implementation. Furthermore, we stress the importance to avoid, where possible, unnecessary administrative burdens.

We therefore call upon the incoming Presidency and the Commission to take these concerns into consideration when negotiating with the European Parliament on a final text. Though we are sympathetic towards the objective of the revision of the directive, we cannot agree with the current proposal."

9. Proposal for a Regulation of the European Parliament and of the Council on cableway installations [First reading]

Interinstitutional file: 2014/0107 (COD)

– General approach

8436/14 ENT 99 TRANS 190 MI 329 ECO 50 IND 128 CODEC 982

+ ADD 1

15442/2/14 ENT 262 TRANS 521 MI 877 ECO 157 IND 334

CODEC 2229 REV 2

+ REV 2 COR 1

The Council agreed on a general approach, as set out in doc. 15442/2/14 REV 2 and mandated the Presidency to enter into negotiations with the European Parliament with a view to an agreement at first reading.

10. Proposal for a Regulation of the European Parliament and of the Council on personal protective equipment [First reading]

Interinstitutional file: 2014/0108 (COD)

– General approach

8453/14 ENT 100 CONSOM 96 SOC 242 MI 331 ECO 51 IND 130
CODEC 986

+ ADD 1

+ ADD 1 REV 1 (ga)

15735/1/14 ENT 265 CONSOM 247 SOC 799 MI 909 ECO 164 IND 346
CODEC 2292 REV 1

16172/14 ENT 281 CONSOM 262 SOC 833 MI 955 ECO 170 IND 363
CODEC 2382

The Council adopted a general approach as set out in doc. 15735/1/14 REV 1 and mandated the Presidency to enter into negotiations with the European Parliament with a view to reaching an agreement at first reading. UK opposed the general approach and made a statement as set out hereafter.

Statement by the United Kingdom

"The UK opposes the adoption of the proposal for a Regulation on Personal Protective Equipment. While we support the Commission in its aim to simplify existing single market measures, and the work done to ensure that it follows the precedents established by the negotiation of the New Legislative Framework (NLF) package, we are concerned about the proposed extension of scope to include domestic dishwashing and oven gloves. The Commission's Impact Assessment fails to provide data to justify the change or to explain the scale of the problem, and at the same time states that costs for small businesses will increase by 10 – 20%. This will place additional obligations, which we believe are too prescriptive and disproportionate to the risks, on the manufacturers and retailers of these products. It could also be reflected in the prices consumers have to pay for these essential and regularly purchased household goods. We therefore are not convinced of the need to bring domestic dishwashing and oven gloves in to the scope of the Regulation."

PUBLIC DELIBERATION

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

11. Any other business

Internal Market and Industry

(a) Current legislative proposal

- Product Safety Package

- Information from the Presidency on the state of play

16041/1/14 ENT 276 MI 938 CONSOM 255 CODEC 2356 COMPET
648 UD 264 CHIMIE 42 COMER 238 REV 1

The Council took note of the information provided by the Presidency on the state of play.