



Council of the
European Union

Brussels, 10 February 2015
(OR. en)

5547/15
ADD 1

PV/CONS 3
ECOFIN 43

DRAFT MINUTES

Subject: **3366th** meeting of the Council of the European Union (**ECONOMIC AND FINANCIAL AFFAIRS**) held in Brussels on 27 January 2015

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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 (doc. 5463/15 PTS A 3)

1. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 223/2009 on European Statistics [First reading] (LA)

- Adoption of the political agreement with a view to an early second reading agreement with the European Parliament

5109/15 STATIS 1 ECOFIN 10 CODEC 18

approved by Coreper, Part 2, on 21.01.2015

The Council adopted the political agreement on the above text. The Austrian and United Kingdom delegations indicated their intention to vote against at the formal adoption of the legal text. The UK delegation entered the statement below.

Statement by the United Kingdom

"With reference to the proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) no. 223/2009 on European Statistics, the United Kingdom considers that, while Article 338(1) TFEU is the legal basis for Regulation 223/2009, it does not constitute an appropriate legal basis for Article 12.3(b) of the proposed regulation. The latter Article provides for a competence of the European Commission to initiate and conduct an investigation where sectoral legislation provides for fines in cases where Member States misrepresent statistical data. The United Kingdom underlines that Article 338 TFEU does not provide for the imposition of fines or other sanctions in the field of statistics in sectoral legislation, therefore Article 12.3(b) is not considered as a legally permissible basis for future sectoral legislation".

2. - Proposal for a Directive of the European Parliament and of the Council on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (AML Directive) [First reading] (LA + S)

- **Proposal for a Regulation of the European Parliament and of the Council on information accompanying transfers of funds (AML Regulation) [First reading] (LA + S)**

= Approval of the final compromise text

5535/15 EF 15 ECOFIN 41 DROIPEN 7 CRIMORG 12 CODEC 82

5116/15 ADD 1 EF 6 ECOFIN 12 DROIPEN 1 CRIMORG 7 CODEC 20

5116/15 ADD 2 EF 6 ECOFIN 12 DROIPEN 1 CRIMORG 7 CODEC 20

5116/15 ADD 3 REV 3 EF 6 ECOFIN 12 DROIPEN 1 CRIMORG 7 CODEC 20

approved by Coreper, Part 2, on 21.01.2015

The Council endorsed the final compromise texts as set out in doc. 5116/15 ADD 1 and ADD 2, and took note of the joint declaration by the Council and the Commission and of the statements by Austria, the Czech Republic, the United Kingdom and France as set out in doc. 5116/15 ADD 3 REV 4.

3. Council Directive amending Directive 2011/96/EU on the common system of taxation applicable in the case of parent companies and subsidiaries of different Member States (LA + S)

The Council adopted the above Directive, as set out in doc. 16633/14. (Legal basis: Article 115 of the TFEU)

The Council decided to insert into these Minutes the following statements:

Statement by the Council

"In applying the anti-abuse provision in Directive 2011/96/EU, Member States will endeavour to inform each other, under the existing EU legal instruments, when information may be useful to the other Member State."

Statement by the Council

"The Council will take into consideration the anti-abuse provision in Directive 2011/96/EU in its future work on a possible anti-abuse provision to be included in Directive 2003/49/EC."

Statement by the Commission

"The Commission confirms that the proposed amendments to Article 1, paragraph 2 of the Parent Subsidiary directive are not intended to affect national participation exemption systems in so far as these are compatible with the Treaty provisions."

4. Directive of the European Parliament and of the Council repealing Council Directive 93/5/EEC on assistance to the Commission and cooperation by the Member States in the scientific examination of questions relating to food [First reading] (LA)

- Adoption of the legislative act
5196/15 CODEC 35 AGRILEG 5 CONSOM 9 DENLEG 7 MI 17 RECH 3
SAN 8
PE-CONS 94/14 AGRILEG 209 CONSOM 214 DENLEG 162 MI 810
RECH 410 SAN 403 CODEC 2101
approved by Coreper, Part 1, on 21.01.2015

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 114 of the TFEU).

3. Investment Plan for Europe: European Fund for Strategic Investments

- **Proposal for a Regulation of the European Parliament and of the Council on the European Fund for Strategic Investments and amending Regulations (EU) No 1291/2013 and (EU) No 1316/2013**

= Presentation by the Commission and exchange of views

5112/15 ECOFIN 11 CODEC 19 POLGEN 5 COMPET 8 RECH 2 ENER 6
TRANS 9 ENV 7 EDUC 4 SOC 5 EMPL 3 EF 5 AGRI 14
TELECOM 7

+ ADD 1

The Commission presented its proposal on the European Fund for Strategic Investments, on which the Council held a first exchange of views. The Presidency outlined the organisation of work in the Council for the examination of the Proposal.

4. Any other business

- **Current legislative proposals**

= Information from the Presidency

The Council took note of the state-of-play in relation to financial services legislative files.

NON-LEGISLATIVE ACTIVITIES - PUBLIC DEBATES

(In accordance with Article 8(2)(3) of the Council's Rules of Procedure)

6. Presentation of the Presidency Work Programme

- Exchange of views

5335/15 ECOFIN 29

The Latvian Presidency presented its Work Programme in the Ecofin area.

7. Commission Work Programme 2015 - A new start

- **Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Commission Work Programme 2015 - A new start**

= Presentation by the Commission and exchange of views

5080/15 POLGEN 4

+ ADD 1 to ADD 4

The Council held an exchange of views on the basis of a presentation by the Commission on its Work Programme as regards economic and financial issues for 2015.