



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 24 January 2014**

**5555/14**

**PE 23  
JUR 33**

**NOTE**

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from:	General Secretariat
to:	Delegations
Subject:	Partial summary record of the meeting of the <b>Committee on Legal Affairs (JURI)</b> of the European Parliament, held in Brussels on 20-21 January 2014

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**The first JURI meeting in 2014 clearly showed that committee business is speeding up so that it may be concluded, to the extent possible, before the parliamentary recess.**

**Several votes - on audit package, on the adjustment of "Brussels I" Regulation, on better law-making, on the application of EU law. The vote on the controversial dossier concerning private copying levies was postponed. Points of special interest - the discussion on the European Public Prosecutor's Office (EPPO) and the presentation of the Hellenic Presidency's priorities by Mr Athanassiou, Minister of Justice.**

The meeting was chaired by Mr LEHNE (PPE, DE).

***In camera (items 6-8):***

***Item 6 on the agenda***

**Verification of credentials (Rule 3)**

***Item 7 on the agenda***

**Request for the waiver of the parliamentary immunity of Tadeusz Cymański**

JURI/7/14627

Rapporteur: Mr STOYANOV (NI, BG)

- Hearing
- Exchange of views

***Item 8 on the agenda***

**Request for waiver of the parliamentary immunity of Richard Seeber**

JURI/7/14638

Rapporteur: Mr SPERONI (EFD, IT)

- Exchange of views

***Item 9 on the agenda***

**Presentation by the Ex-ante Impact Assessment Unit of the initial appraisal of the European Commission Impact Assessment on the proposal on simplifying the acceptance of certain public documents in the EU**

The appraisal of the Commission's impact assessment of the proposal on the acceptance of public documents was presented on behalf of the new European Parliamentary Research Service (EPRS).

In the ensuing exchange of views, the rapporteur Mr RAPKAY (S&D, DE) recalled that the report was adopted by JURI last December and regretted that in the Council the progress on this dossier was not advanced enough. He considered that probably the proposal would be finalised during the legislature of the next Parliament. Mr SPERONI (EFD, IT) referred to the Italian experience on public documents, as did Ms THEIN (ALDE, DE) concerning the German one. Ms NIEBLER (PPE, DE) said that there were some orientation for reflection to deepen before the finalisation, whilst Ms LICHTENBERGER (Verts, AT) wished more information on procedure, rules and criteria governing the impact assessment in the Parliament. Mr LEHNE recalled that there were rules established and that the concrete decision to launch an impact assessment was taken by coordinators.

***Item 10 on the agenda***

**European Public Prosecutor's Office (EPPO)**

JURI/7/13512

Rapporteur for the opinion: Ms REGNER (S&D, AT)

- Consideration of draft opinion

The rapporteur, Ms REGNER (S&D, AT), presented her draft opinion, containing some recommendations to the leading committee (LIBE), especially to clearly define the criteria governing the ancillary competence of the EPPO under Article 13 of the proposal; to regulate to the greatest extent possible the relations of the EPPO with Eurojust, Europol and OLAF and to amend Article 71 in order to stress that on no account should the EPPO exercise its competence with regard to offences committed before it becomes fully operative. Ms REGNER considered as problematic that two different courts - at EU and national level - shall hear actions for no contractual liability of the EPPO and actions for annulment of its procedural measures, and recommended that Articles 36 and 69 of the proposal be amended accordingly. She deplored that

the Commission envisaged a major transfer of human resources from OLAF to the EPPO, instead of taking advantage of the expertise and the added value of Eurojust's staff members.

In the ensuing discussion, Mr SPERONI (EFD, IT) recalled that this proposal had been subject of a "yellow card" by the national parliaments which considered that the principle of subsidiarity had not been respected. He suggested to JURI to take position on this issue. Mr VOSS (PPE, DE) supported the rapporteur's approach and, calling for more prudence on this dossier, considered that the EPPO's structure, competences and relations with other EU structures should be clarified.

The Commission representative said that apparently the discussions in the Council had been difficult and did not completely support the rapporteur's suggestions.

In conclusion, Mr REGNER said that she would include in her draft the subsidiarity issue.

*Timetable:*

*Deadline for amendments: 24 .01.2014*

#### ***Item 11 on the agenda***

#### **Common system of taxation applicable in the case of parent companies and subsidiaries of different Member States**

JURI/7/14640

Rapporteur for the opinion: Ms GERINGER DE OEDENBERG (S&D, PL)

Rapporteur for the responsible committee (ECON): Ms KLEVA KEKUŠ (S&D, SI)

- Consideration of draft opinion

The rapporteur, Ms GERINGER DE OEDENBERG (S&D, PL), welcomed the Commission proposal for amending the Parent-Subsidiary Directive and recalled that an estimated EUR 1 trillion in public money was lost due to tax fraud and tax avoidance every year in the EU. She said that it was most timely that the Commission took the initiative to tackle certain cases of double non-taxation concerning certain financial hybrid mismatches. She presented briefly the amendments she suggested, explaining that they aimed to better illustrating, reinforcing and clarifying the text proposed by the Commission.

*Timetable:*

*Deadline for amendments: 27.01.2014*

**\*\*\* Voting time \*\*\***

***Item 12 on the agenda***

**Amendment of Directive 2006/43/EC on statutory audits of annual accounts and consolidated accounts**

JURI/7/08047

Rapporteur: Mr KARIM (ECR, UK)

- Consideration by committee: vote on agreed text

*The draft agreement between the Parliament and the Council was approved by 13 votes in favour, 8 against and one abstention.*

***Item 13 on the agenda***

**Specific requirements regarding statutory auditing of public-interest entities**

JURI/7/08135

Rapporteur: Mr KARIM (ECR, UK)

- Consideration by committee: vote on agreed text

*The draft agreement between the Parliament and the Council was approved by 13 votes in favour, 8 against and one abstention.*

***Item 14 on the agenda***

**Jurisdiction and the recognition and enforcement of judgments in civil and commercial matters**

JURI/7/13507

Rapporteur: Mr ZWIEFKA (PPE, PL)

- Adoption of draft report

*The amended draft report was adopted with 22 votes in favour.*

***Item 15 on the agenda***

**EU Regulatory Fitness and Subsidiarity and Proportionality - 19th report on Better Lawmaking covering the year 2011**

JURI/7/12547

Rapporteur: Mr KARIM (ECR, UK)

- Adoption of draft report

*The amended draft report was adopted with 14 votes in favour and 8 against.*

***Item 16 on the agenda***

**29th Annual Report on Monitoring the Application of EU Law (2011)**

JURI/7/12947

Rapporteur: Ms LICHTENBERGER (Verts/ALE, AT)

- Adoption of draft report

*The amended draft report was adopted with 21 votes in favour and one abstention.*

***Item 17 on the agenda***

**Private Copying Levies**

JURI/7/12936

Rapporteur: Ms CASTEX (S&D, FR)

- Adoption of draft report

The vote was postponed after strong protest from the Greens and ALDE (respectively Mr ENGSTRÖM and Ms WIKSTRÖM, both SE), supported by ECR and EFD, concerning the lack of support for the compromise amendments as suggested by the rapporteur. They said that only the two biggest political groups PPE and S&D had participated in the negotiations on these compromises. The postponement of the vote was voted and adopted, after PPE proposal. The rapporteur was opposed to the postponement.

***Item 18 on the agenda***

**Rules governing actions for damages under national law for infringements of the competition law provisions of the Member States and of the EU**

JURI/7/13021

Rapporteur for the opinion: Mr RAPKAY (S&D, DE)

Rapporteur for the responsible committee (ECON): Mr SCHWAB (PPE, DE)

- Adoption of draft report

*The amended draft report was adopted with 22 votes in favour.*

***Item 19 on the agenda***

**Implementation of the Treaty of Lisbon with respect to the European Parliament**

JURI/7/13183

Rapporteur for the opinion: Ms LICHTENBERGER (Verts/ALE, AT)

Rapporteur for the responsible committee (AFCO): Mr RANGEL (PPE, PT)

- Adoption of draft report

*The amended draft report was adopted with 20 votes in favour, one against and one abstention.*

***Item 20 on the agenda***

**European single market for electronic communications**

JURI/7/13788

Rapporteur for the opinion: Ms GALLO (PPE, FR)

Rapporteur for the responsible committee (ITRE): Ms DEL CASTILLO VERA (PPE, ES)

- Adoption of draft opinion

*The amended draft opinion was adopted with 11 votes in favour and 10 votes against.*

***Item 21 on the agenda***

**Package travel and assisted travel arrangements**

JURI/7/13318

Rapporteur for the opinion: Ms LICHTENBERGER (Verts/ALE, AT)

Rapporteur for the responsible committee (IMCO): Mr MAYER (PPE, DE)

- Adoption of draft opinion in letter form

*Postponed.*

***Item 22 on the agenda***

**Vote on an opinion in letter form on the revision of Rule 90(5) of the Rules of Procedure for the Committee on Constitutional Affairs**

Rapporteur: Mr LEHNE (DE)

*Adopted.*

***Legal basis (Rule 37)***

***Item 23 on the agenda***

**Enhanced co-operation between Public Employment Services (PES)**

JURI/7/14897

Rapporteur for the opinion: Ms REGNER (S&D, AT)

Rapporteur for the responsible committee (EMPL): Mr DAERDEN (S&D, BE)

- Consideration of legal basis

*Adopted.*

***Item 24 on the agenda***

**Approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products**

JURI/7/14919

Rapporteur for the opinion: Ms REGNER (S&D, AT)

Rapporteur for the responsible committee (ENVI): Ms MCAVAN (S&D, UK)

- Consideration of legal basis

*Adopted.*

***AOBs - Item 29 on the agenda:***

**Animal Health**

JURI/7/14985 - 2013/0136(COD)

Rapporteur for opinion: Ms REGNER (S&D, AT)

- Consideration of legal basis

*Adopted.*

**Protective measures against pests of plants**

JURI/7/14986 - 2013/01414(COD)

Rapporteur for opinion: Ms REGNER (S&D, AT)

- Consideration of legal basis

*Adopted.*

**\*\*\* End of vote \*\*\***

*In camera (items 25-26):*

***Item 25 on the agenda***

**Request for waiver of the parliamentary immunity of Zbigniew Ziobro**

JURI/7/13797

Rapporteur: Ms WIKSTRÖM (ADLE, SE)

- Hearing (to be confirmed)
- Consideration of draft report
- Adoption of draft report

***Item 26 on the agenda***

**Request for waiver of the parliamentary immunity of Mario Borghezio**

JURI/7/14637

Rapporteur: Mr RAPKAY (S&D, DE)

- Exchange of views

***Item 27 on the agenda***

**Exchange of views with Charalampos Athanassiou, Minister of Justice, Transparency and Human Rights on the priorities of the Hellenic Presidency**

Mr Charalampos Athanassiou, Minister of Justice, Transparency and Human Rights, presented the priorities of the Hellenic Presidency of the Council.

After a brief overview of the recent achievements concerning EU legal issues, Mr ATHANASIOU emphasized the importance attached by the Hellenic Presidency to the establishment of a European framework for an easy access to justice for citizens and business, as well as to the strengthening of citizens' confidence in the judicial system. In this context, he focused on three priority areas: the Regulation creating a European account preservation order (EAPO), the Regulation on insolvency proceedings and the Regulation on a Common European sales law, with emphasis on insolvency file. Mr ATHANASIOU expressed the Presidency's readiness to continue efforts on these dossiers.

During the ensuing one round discussion, speakers - in their majority political groups' coordinators - mainly raised the issue of the Presidency's intention to close some legislative files before the end of the legislature, i.e.: women in executive boards, European public prosecutor's office (EPPO) (Ms REGNER (S&D, AT)), women's right (Ms WIKSTRÖM (ALDE, SE)), auditing package (Mr MASIP HIDALGO (S&D, ES)). Ms LICHTENBERGER (Verts, AT) called the Presidency to put an end to Council's blocking concerning the accession of 8 countries to the Hague Convention on the Civil Aspects of International Child Abduction. Mr ZWIEFKA (PPE, PL) thanked for the good cooperation on "Brussels I" Regulation (recognition and enforcement of judgments in civil and commercial matters), and expressed his concern on the brief deadlines for the work on important files, supported on this point by the Chair Mr LEHNE (PPE, DE).

In his reply, Mr ATHANASIOU assured MEPs that he had taken good note of their remarks. On EPPO, he said that an enhanced cooperation would not be excluded before the end of the EL Presidency's mandate.

***Item 30 on the agenda***

**Next meeting(s)**

- 10 February 2014, 15.00 – 18.30 (Brussels)
  - 11 February 2014, 9.00 – 12.30 and 15.00 – 18.30 (Brussels)
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