



Brussels, 23 January 2019
(OR. en, fr)

5602/19
CRS CRP 1

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
7 and 11 January 2019

I. Adoption of the agenda

5025/19 OJ CRP1 1
5003/2/19 REV 2 OJ CRP2 1 + COR 1 REV 1

The Committee adopted the agenda.

II. Approval of the "I" items

The Committee approved the "I" items as set out in the Annex.

III. Discussion items

COREPER (PART 2)

Foreign Affairs

2. Council Decision on the conclusion of the Partnership and Cooperation Agreement between the EU and Singapore 15039/18
Request for the consent of the European Parliament 15375/18

The Committee approved the text of the Council Decision and agreed to include it on the list of A-items of the General Affairs Council on 8 January 2019. The Presidency concluded that the Committee will work at one of its upcoming meetings on a Council declaration or conclusions on the ancillary nature of CFSP legal bases in international agreements, on the basis of a note to be prepared by the Council Legal Service.

General Affairs

3. Meeting of the Council (General Affairs) on 8 January 2019: Preparation

- a) Presentation of the priorities of the Romanian Presidency

The Committee prepared this item for the Council.

- b) Multiannual Financial Framework 2021-2027
Information from the Presidency

The Committee prepared this item for the Council.

- c) Coordinated response on disinformation
Exchange of views

15790/18

The Committee prepared this item for the Council.

- d) Legislative files - state of play

The Committee prepared this item for the Council.

- e) Other items in connection with the Council meeting

No items were raised under this heading.

Economic and Financial Affairs

5. Meeting of the Council (Economic and Financial Affairs) on 22 January 2019: Preparation

Other items in connection with the Council meeting

The Presidency provided further information regarding the Council meeting.

COREPER (PART 1)

Other

18. Work programme of the Romanian Presidency
Information from the Presidency

The Committee took note of the Presidency's work programme.

Employment and Social Policy

19. Directive on transparent and predictable working conditions
Presidency debriefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogues of 21 December 2018 and 10 January 2019.

20. Regulation on establishing a European Labour Authority
Presidency debriefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 8 January 2019.

Environment

21. Regulation on CO2 standards for heavy-duty vehicles
Presidency debriefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 8 January 2019.

22. Regulation on LIFE
Presidency debriefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 9 January 2019.

Transport

23. Directive amending Directive 92/106 on combined transport
Presidency debriefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 9 January 2019.

Research

24. Regulation establishing Horizon Europe - Framework Programme
Presidency briefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 9 January 2019.

IV. Any other business

COREPER (PART 2)

Migration/SAR

The Committee took note of the information provided by the Commission.

COREPER (PART 1)

None.

"I" items approved**COREPER (PART 2)****Judicial Affairs**

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| 6. | Judgment of the General Court T-316/14 (PKK v Council) <i>Information note for the Permanent Representatives Committee</i> <i>(Part 2)</i> | 15856/18 JUR |
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Economic and Financial Affairs

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| 4. | Investment firms supervision directive and regulation <i>Mandate for negotiations with the European Parliament</i> | 5020/2/19 REV 2 + COR 1 + ADD 1 5021/19 5022/19 |
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Statement by France

"Les autorités françaises souhaitent souligner l'importance d'une réglementation prudentielle appropriée pour les entreprises d'investissement pour assurer la stabilité financière de l'Union. Elles accueillent positivement l'objectif de la proposition de la Commission de rationaliser et rendre plus adaptées qu'aujourd'hui les contraintes prudentielles qui s'y appliquent, ces entreprises contribuant positivement au financement par les marchés de l'économie européenne. Toutefois, elles regrettent que le régime envisagé soit, à certains égards, moins prudent et moins sensible aux risques que l'existant, à activités identiques. La France salue les renforcements apportés au régime s'agissant des entreprises ayant une activité ou un profil de risque d'une nature systémique et souhaite que ces derniers soient préservés dans les discussions avec le Parlement.

Les autorités françaises ont toujours promu l'objectif d'une plus grande convergence des pratiques de supervision, pouvant aller jusqu'à une supervision unique. Elles rappellent toutefois que la modification de la définition des établissements de crédit utilisée à cette fin pour les entreprises d'investissement dites systémiques, plutôt que la modification du règlement-cadre du mécanisme de supervision unique, est porteuse d'effets de bords dont les conséquences (accès aux opérations de l'Eurosystème, accès au Fonds de Résolution Unique, perturbation de l'application de la directive «conglomérats») auraient dû faire l'objet d'une analyse approfondie. Les autorités françaises estiment que l'approche retenue ne saurait constituer un précédent.

S'agissant des dispositions relatives au régime applicable aux entreprises de pays tiers, la France souhaite préserver l'intégrité et la stabilité des marchés européens et parvenir à un juste équilibre entre leur nécessaire ouverture et l'égalité concurrentielle entre les acteurs. Elle soutient les améliorations apportées au texte en ce sens. Les discussions avec le Parlement devront également permettre de poursuivre cet objectif prioritaire, s'agissant notamment des entreprises et activités pouvant avoir une nature systémique pour l'Union."

Statement by Portugal

"Portugal broadly supports the proposed compromise for the Investment Firms Supervision Package, including entrusting the ECB with direct supervisory powers over systemic investment firms.

However, Portugal does not consider adequate the amendment to the definition of credit institution and considers that the approach taken should not constitute a precedent. Portugal considers that alternative options should have been further explored."

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| 7. | ECA SR No 27/2018 on the Facility for Refugees in Turkey <i>Designation of a Working Party</i> | 15448/18 FIN |
| 8. | ECA SR No 28/2018 on the majority of simplification measures brought into Horizon 2020 <i>Designation of a Working Party</i> | 15451/18 FIN |
| 9. | ECA SR No 29/2018 on EIOPA <i>Designation of a Working Party</i> | 15456/18 FIN |
| 10. | ECA SR No 32/2018 on European Union Emergency Trust Fund for Africa <i>Designation of a Working Party</i> | 15466/18 FIN |
| 11. | ECA SR No 33/2018 on combating desertification in the EU <i>Designation of a Working Party</i> | 15731/18 FIN |
| 12. | NPL Prudential backstop - Regulation <i>Confirmation of the final compromise text with a view to agreement</i> | 5014/19 EF |

General Affairs

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| 13. | Implementation of EU macro-regional strategies - organisation of work in the Council <i>Information from the Presidency</i> | 15587/1/18 REV 1 REGIO |
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Foreign Affairs

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| 14. | Appeal against judgment of the EU General Court in Case T-316/14, PKK v. Council <i>Approval</i> | 15762/18 CORLX |
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Delegated or Implementing Acts

Economic and Financial Affairs

15. Financial Services' Delegated Acts 15842/1/18 REV 1
EF
Delegated act - Decision to request an extension of the time-limit
- a) Commission Delegated Regulation (EU) .../... of 29.11.2018 supplementing Directive (EU) 2015/2366 of the European Parliament and of the Council with regard to regulatory technical standards setting technical requirements on development, operation and maintenance of the electronic central register within the field of payment services and on access to the information contained therein 15196/18
- b) Commission Delegated Regulation (EU) .../... of 12.12.2018 amending and correcting Delegated Regulation (EU) 2017/587 to specify the requirement for prices to reflect prevailing market conditions and to update and correct certain provisions 15773/18
- c) Commission Delegated Regulation (EU) .../... of 13.12.2018 amending Delegated Regulation (EU) No 151/2013 with regard to access to the data held in trade repositories 15770/18
- d) Commission Delegated Regulation (EU) .../... of 13.12.2018 amending Delegated Regulation (EU) No 150/2013 as regards regulatory technical standards specifying the details of the application for registration as a trade repository 15772/18
- e) Commission Delegated Regulation (EU) .../... of 13.12.2018 amending Commission Delegated Regulation (EU) 2017/565 as regards certain registration conditions to promote the use of SME growth markets for the purposes of Directive 2014/65/EU of the European Parliament and of the Council 15774/18

- f) Commission Delegated Regulation (EU) .../... of 13.12.2018 supplementing Regulation (EU) 2015/2365 of the European Parliament and of the Council with regard to regulatory technical standards on access to details of securities financing transactions (SFTs) held in trade repositories 15818/18
- g) Commission Delegated Regulation (EU) .../... of 13.12.2018 supplementing Regulation (EU) 2015/2365 of the European Parliament and of the Council with regard to regulatory technical standards specifying the details of the application for registration and extension of registration as a trade repository 15819/18
- h) Commission Delegated Regulation (EU) .../... of 13.12.2018 supplementing Regulation (EU) 2015/2365 of the European Parliament and of the Council with regard to regulatory technical standards on the collection, verification, aggregation, comparison and publication of data on securities financing transactions (SFTs) by trade repositories 15820/18
- i) Commission Delegated Regulation (EU) .../... of 13.12.2018 supplementing Regulation (EU) 2015/2365 of the European Parliament and of the Council with regard to fees charged by the European Securities and Markets Authority to trade repositories 15826/18
- j) Commission Delegated Regulation (EU) .../... of 13.12.2018 supplementing Regulation (EU) 2015/2365 of the European Parliament and of the Council with regard to regulatory technical standards specifying the details of securities financing transactions (SFTs) to be reported to trade repositories 15829/18
- k) Commission Delegated Regulation (EU) No .../.. of 17.12.2018 supplementing Directive 2004/109/EC of the European Parliament and of the Council with regard to regulatory technical standards on the specification of a single electronic reporting format 15831/18

- l) Commission Delegated Regulation (EU) .../... of 19.12.2018 amending Delegated Regulation (EU) 2016/2251 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council as regards the date until which counterparties may continue to apply their risk-management procedures for certain OTC derivative contracts not cleared by a CCP 15834/18
- m) Commission Delegated Regulation (EU) .../... of 19.12.2018 amending Commission Delegated Regulation (EU) 2015/2205, Commission Delegated Regulation (EU) 2016/592 and Commission Delegated Regulation (EU) 2016/1178 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council as regards the date at which the clearing obligation takes effect for certain types of contracts 15835/18
- n) Commission delegated Regulation (EU) .../... of 19.12.2018 amending Delegated Regulation (EU) 2015/2205, Delegated Regulation (EU) 2016/592 and Delegated Regulation (EU) 2016/1178 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to regulatory technical standards on the clearing obligation to extend the dates of deferred application of the clearing obligation for certain OTC derivative contracts 15861/18

COREPER (PART 1)

Institutional Affairs

Written questions

25. Replies to questions for written answer submitted to the Council by Members of the European Parliament
Adoption by silence procedure
- a) Louis Michel (ALDE)
'Protection of minorities in Iraq' 14864/18 + COR 1
- b) Martina Anderson (GUE/NGL)
'Situation of refugees detained and stranded in Tripoli, Libya' 14881/18
- c) Jeppe Kofod (S&D)
'Status of CbCR file within the Council' 14866/18
- d) Vilija Blinkevičiūtė (S&D)
Measures to combat energy poverty 14717/18
- e) Andor Deli (PPE)
'The speed of the accession negotiations process' 15007/18
- f) Philippe Lamberts (Verts/ALE)
'Libyan funds frozen in Belgium' 14865/18
- g) Czesław Hoc (ECR)
'Council Decision on the introduction of a technical measure' 14868/18

EU positions for international negotiations

26. ICAO reply State letter 5049/19
Establishment of the EU position
Approval
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