



Council of the  
European Union

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**DRAFT MINUTES**  
COUNCIL OF THE EUROPEAN UNION  
(Economic and Financial Affairs)  
12 February 2019

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1. **Adoption of the agenda**

The Council adopted the agenda set out in 5962/1/19 REV 1.

2. **Approval of "A" items**

5963/19

a) **Non-legislative list**

The Council adopted the "A" items listed in 5963/19 including COR and REV documents presented for adoption.

For the following items the documents should read as follows:

Justice and Home Affairs

12. Council Decision on the conclusion of the status agreement with Albania on actions carried out by EBCG Agency in Albania  
*Adoption*  
approved by Coreper, Part 2, on 06.02.2019

**C** 5876/19  
10302/18  
**+ COR 1 (cs)**  
FRONT

**Non-legislative activities**

10. Council Recommendation on the appointment of a member of the Executive Board of the European Central Bank  
*Adoption*

6170/19  
5940/19

**Legislative deliberations**

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

2. **Approval of "A" items**

5964/19

- b) **Legislative list** (Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

Agriculture

**Regulation amending Regulations (EU) No 1305/2013 and (EU) No 1307/2013 as regards certain rules on direct payments and support for rural development in respect of the years 2019 and 2020**

**1 C** 5811/19  
PE-CONS 3/19  
AGRI

*Adoption of the legislative act*

approved by Coreper, Part 1, on 06.02.2019

The Council approved the European Parliament's position at first reading and the proposed act was adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 42 and Article 43(2) TFEU.)

3. **European system of financial supervision review**



6156/19

*General approach*

5834/19 + COR 1

5835/19 + COR 1

5836/19 + COR 1

The Council agreed on a general approach as set out in documents 5834/19 (+COR1), 5835/19 (+COR1) and 5836/19 (+COR1) - thereby complementing the partial AML negotiating mandate in doc. 15569/18 ADD 1 - and invited the Presidency to start, as soon as possible, negotiations with the European Parliament on the basis of the complete ESFS mandate, with a view to reaching an agreement at first reading. The Council also took note of the statement from the Netherlands delegation.

4. **Any other business**

5937/19

Current financial services legislative proposals

*Information from the Presidency*

The Council took note of the state of play of implementation of financial services legislation.

**Non-legislative activities**

5. Commission Communication - Towards a more efficient and democratic decision-making in EU tax policy

5472/19

*Exchange of views*

6. Conclusions on the Fiscal Sustainability Report 2018

5814/19

*Adoption*

7. Recommendation on the discharge to be given to the Commission in respect of the implementation of the budget for 2017

5824/1/19 REV 1

5824/19 ADD 1

*Adoption*

8. Conclusions on the budget guidelines for 2020

5823/19

*Adoption*

9. Any other business

Carbon pricing and aviation tax

6098/19

*Information from the Netherlands delegation*



First reading



Item based on a Commission proposal

Statements to the legislative "B" items set out in 5962/1/19

Ad "B" item 3: **European system of financial supervision review**

*General approach*

**STATEMENT BY THE NETHERLANDS**

"While supporting the overall package of compromise proposals on the review of the European System of Financial Supervision (ESFS review), as presented by the Romanian Presidency, the Netherlands regrets that the compromise proposals on the Regulation on the European Systemic Risk Board (ESRB) do not fully address our expressed concerns with regards to a potential conflict of interest between the ESRB and the European Central Bank (ECB). Although we acknowledge the improvements made in the Council's compromise text, for instance with regards to the strengthening of the position of the ESRB's first Vice-Chair, we consider this an issue that would ideally be further addressed during the trilogues with the European Parliament. Furthermore, we call on the European Commission to consider possible alternative models for the governance of the ESRB when reporting on the mission and organization of the ESRB in a future report on the ESRB. The Netherlands will continue to work constructively towards addressing this issue."

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