



Council of the
European Union

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DRAFT MINUTES
COUNCIL OF THE EUROPEAN UNION
(Economic and Financial Affairs)
6 December 2022

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1. Adoption of the agenda

The Council adopted the agenda set out in 15375/22.

The Council decided to withdraw items 3, 4 b), 5 a) and b) and 6 from the agenda (see below and in 15693/22 ADD 1).

2. Approval of "A" items Non-legislative list

15376/22

The Council adopted the "A" items listed in 15376/22 including COR and REV documents presented for adoption.

Non-legislative activities

3. Council Implementing Decision on measures for the protection of the Union budget against breaches of the principles of the rule of law in Hungary ☐ 12551/22 + ADD 1
15192/22
(Legal basis: Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget)
Exchange of views
4. Economic recovery in Europe
- a) Implementation of the Recovery and Resilience Facility
State of play
Exchange of views
- b) Council Implementing Decisions under the Recovery and Resilience Facility ☐(*) 15447/22 + ADD 1
(Legal basis: Article 20 of Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility)
Exchange of views

Legislative deliberations

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

5. Legislative package on financial support to Ukraine

(Legal basis: Articles 212, 312 and 322(1))

- | | | |
|--|------------------|---|
| a) Regulation amending Regulation 2020/2093 laying down the multiannual financial framework for the years 2021 to 2027 | SC
(*) | 15179/22 + ADD 1
14471/1/22 REV 1
+ REV 2 (de)
15232/22 + COR 1 |
| b) Regulation establishing an Instrument for providing support to Ukraine for 2023 (macro-financial assistance +) | IC
(*) | + ADD 1
PE-CONS 63/22
15225/22 |
| c) Regulation amending Regulation 2018/1046 as regards the establishment of a diversified funding strategy as a general borrowing method | IC
(*) | PE-CONS 62/22 |

Adoption

Decision to derogate from the eight-week period provided for in Article 4 of Protocol 1 on the role of national parliaments in the EU

The Council adopted the Regulation amending Regulation 2018/1046 as regards the establishment of a diversified funding strategy as a general borrowing method (PE-CONS 62/22) and decided to derogate from the eight-week period provided for in Article 4 of Protocol 1 on the role of national parliaments in the EU under sub-item c). The Council decided to withdraw sub-items a) and b) from the agenda.

6. Directive on ensuring a global minimum level of taxation for multinational enterprise groups and large-scale domestic groups in the Union

(Legal basis: Article 115 TFEU)

Adoption

SC
(*)

15349/22 + COR 1
8778/22

The Council decided to withdraw this item from the agenda.

7. Revision of the energy taxation Directive

Policy debate

SC 14736/22

The Council held a policy debate based on a discussion paper prepared by the Presidency. (14736/22).

8. **New own resources: State of play** SC 15178/22
Presidency report

The Council took note of the report prepared by the Presidency.

9. **Any other business** 15127/22
Current financial services legislative proposals
Information from the Presidency

The Presidency informed Ministers about the state of play of current financial services legislative proposals.

Non-legislative activities

10. Commission communication on economic governance review 13828/22
Presentation by the Commission
Exchange of views
11. European Semester 2023 15180/22
Annual Sustainable Growth Survey 2023, Alert Mechanism + ADD 1
Report 2023 and Recommendation on the economic policy of 15184/22
the euro area 15189/22
Presentation by the Commission + ADD 1
Exchange of views
12. European Court of Auditors' annual report on the
implementation of the budget of the European Union for the
financial year 2021
Presentation
13. Follow-up to the adoption of the budget for 2023
Information from the Presidency
14. Any other business

-
- ① First reading
S Special legislative procedure
C Item based on a Commission proposal
(* Item on which a vote may be requested)

Statements to the legislative "B" items

Legislative package on financial support to Ukraine (Legal basis: Articles 212, 312 and 322(1))

Ad "B" item 5:

b) Regulation establishing an Instrument for providing support to Ukraine for 2023 (macro-financial assistance +)

Adoption

Decision to derogate from the eight-week period provided for in Article 4 of Protocol 1 on the role of national parliaments in the EU

STATEMENT BY THE COMMISSION

Commission declaration on the contribution by Member States to the interest rate subsidy for the MFA+ loans to Ukraine

“In order to provide sufficient assurances to Ukraine on the availability of the interest rate subsidy in the period from 1 January 2023 to 31 December 2027 for the loans under the MFA+ Instrument, the Commission expects the Member States to enter at the latest by 30 June 2023 into contribution agreements which include the following features:

- (a) The contributions shall be irrevocable, unconditional and on-demand. They shall be transferred to the Commission in line with the terms and conditions of the contribution agreement, upon written demand by the Commission.
- (b) The contributions shall only cover the interest rate subsidy and not the administrative costs related to the borrowing and lending operations.
- (c) The contributions requested from the Member States by the European Commission shall be calculated on the basis of the gross national income (GNI) key set out in Article 5(1) of the MFA+ Instrument of the amount of the costs and expressed in euro.
- (d) The interest rate subsidy to be covered through contributions shall be calculated and invoiced on the basis of a cost allocation methodology adopted by the Commission covering the borrowing used to finance the loans under the MFA+ Instrument.
- (e) The contribution agreements shall enter into force upon signature by the Commission, and by the Member States, subject to approval in accordance with their national procedures, if applicable.
- (f) The contribution agreements shall apply to the interests (costs of funding and costs of liquidity management) incurred in the period from 1 January 2023 to 31 December 2027 and related to the borrowing and lending, with the exception of costs related to early repayment of the loans, in respect of the loans under the MFA+ Instrument.
- (g) The additional support under Article 4(2) of the MFA+ Instrument by Member States' contributions is to be provided on the understanding that it will be subject to the political precondition laid down in Article 6 of the MFA+ Regulation.”

In the context of the annual budgetary procedure, the Commission will examine the availabilities under the budget within the limits of available resources while ensuring the need to maintain sufficient margins and flexibilities to cope with unexpected events in the course of the financial year. Following conclusion of the annual budgetary procedure, the Commission will communicate the estimated amounts to be called from Member States in the following year. The amounts to be called from Member States may differ from these estimates given that some of the relevant costs will still be subject to change at the time of communication.

In order to facilitate national preparations for the signature of the contribution agreements, the Commission will provide indicative estimates of interest rate costs that may be expected over the years 2023-2027. The aggregate figures will be broken down on the basis of most recent GNI key per Member State. They will be accompanied by explanations on the invoicing schedule for calls for Member State contributions from Q1 2024 onwards.”
