



COUNCIL OF
THE EUROPEAN UNION

Brussels, 3 September 2008 (08.09)
(OR. fr)

12555/08

**Interinstitutional File:
2004/0209 (COD)**

**CODEC 1041
SOC 464
SAN 165
TRANS 270
MAR 115**

"I/A" ITEM NOTE

from : General Secretariat of the Council

to : COREPER/COUNCIL

Subject : Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/88/EC concerning certain aspects of the organisation of working time **[first reading]**

- Adoption of **(cp+s)**
 - (a) a common position
 - (b) a statement of the Council's reasons
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1. On 23 June 2004 the Commission submitted to the Council the above proposal¹, based on Article 137(2) of the TEC.
2. The European Economic and Social Committee delivered its opinion on 11 May 2005².
The Committee of the Regions delivered its opinion on 14 April 2005³.
3. The European Parliament delivered its opinion at first reading on 11 May 2005⁴.

¹ 12683/04 SOC 426 SAN 135 TRANS 300 MAR 161 CODEC 1047 [COM(2004) 0667].

² OJ C 267, 27.10.2005, p. 16.

³ OJ C 231, 20.9.2005, p. 69.

⁴ OJ C 92-E, 20.4.2006, p. 111.

4. The Commission submitted an amended proposal¹, under Article 250(2) of the EC Treaty, on 31 May 2005.
5. At its 2733rd meeting on 1 and 2 June 2006, the EPSCO Council reached political agreement on a common position concerning the above proposal for a Directive.
6. The Permanent Representatives Committee is invited to suggest that the Council:
 - adopt the common position set out in 10597/08 and the statement of reasons set out in 10597/08 ADD 1 COR 1 + COR 2 as an "A" item at a forthcoming meeting, with the Belgian, Cypriot, Greek, Hungarian, Maltese and Portuguese delegations abstaining and the Spanish and Greek delegations voting against;
 - order the statements in the Addendum hereto to be entered in the minutes of that meeting.

¹ 9554/05 SOC 244 SAN 94 TRANS 108 MAR 84 CODEC 441[COM(2005) 246].