



Council of the  
European Union

Brussels, 21 November 2016  
(OR. en)

14134/16

LIMITE

PV/CONS 54  
ECOFIN 1010

## DRAFT MINUTES<sup>1</sup>

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Subject: **3495th** meeting of the Council of the European Union  
**(Economic and Financial Affairs)**,  
held in Brussels on 8 November 2016

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<sup>1</sup> Information on Council legislative deliberations, on other cases of Council deliberations open to the public and on public debates may be found in Addendum 1 to these minutes.



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1. **Adoption of the agenda**

13906/16 OJ CONS 53 ECOFIN 987

The Council adopted the above agenda.

**LEGISLATIVE DELIBERATIONS**

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

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

13907/16 PTS A 83

The Council adopted the "A" items listed in 13907/16.

Details on the adoption of these items are set out in the Addendum.

3. **Building a fair, competitive and stable corporate tax system for the EU**

= Presentation by the Commission and exchange of views

13729/16 FISC 169

13730/16 FISC 170 IA 99

+ ADD 1

13731/16 FISC 171

+ ADD 1

13732/16 FISC 172 IA 100

+ ADD 1

13733/16 FISC 173

+ ADD 1

Following a presentation by the Commission of the Communication and the four legislative proposals composing the package, the Council had a first exchange of views on these elements.

4. **Anti-Money Laundering Directive**

– **Proposal for a Directive of the European Parliament and of the Council amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing and amending Directive 2009/101/EC (First reading)**

= State of play

The Council discussed the state of play of the Anti-Money Laundering Directive, reconfirming the intention to reach a negotiating mandate before the end of 2016.



**5. Any other business**

- **Current financial service legislative proposals**
  - = Information from the Presidency  
13877/16 EF 323 ECOFIN 982

The Council took note of the state of play in relation to financial service legislative proposals.

**NON-LEGISLATIVE ACTIVITIES**

**6. Approval of the list of "A" items**

13908/16 PTS A 84

The Council adopted the "A" items listed in 13908/16.

The documents on item 29 should read as follows:

Item 29: 13810/16 CORLX 427 CFSP/PESC 871 RELEX 896 COEST 279  
FIN 712  
13725/16 CORLX 422 CFSP/PESC 863 COEST 275 FIN 702  
+ COR 1 (nl)  
13728/16 CORLX 424 CFSP/PESC 866 RELEX 891 COEST 277  
FIN 704  
+ COR 1 (nl)

Statements to these items are set out in the Annex.

**7. Statistics**

- **EU statistics**
- **Strengthening cooperation with Eurostat**
- **ESGAB Report on the implementation of the European Statistics Code of Practice**
  - = Draft Council conclusions  
13702/1/16 REV 1 ECOFIN 960 STATIS 86 UEM 342  
13805/16 ECOFIN 970 STATIS 87 UEM 344  
+ ADD 1  
13845/16 ECOFIN 977 STATIS 89 UEM 348  
13849/16 ECOFIN 978 STATIS 90 UEM 349

The Council adopted conclusions on statistics that are set out in the outcome of proceedings (14164/16).



8. **European Court of Auditors' annual report on the implementation of the budget of the European Union for the financial year 2015**

= Presentation

Following the presentation by the President of the European Court of Auditors, Mr Lehne, of the Annual Report of the Court of Auditors on the implementation of the budget concerning the financial year 2015, the Council invited the Permanent Representatives Committee to examine the report, with a view to drawing up a recommendation of the Council to the European Parliament on the discharge to be given to the Commission for the implementation of the budget for 2015. The Council is expected to adopt that recommendation at its meeting on 21 February 2017.

9. **Implementation of the Banking Union**

= State of play

The Council received an update by the Commission on the state of play of the implementation of the Banking Union.

10. **Packaged retail and insurance-based investment products (PRIIPs)**

= Information from the Commission on the state of play

The Council took note of the information by the Commission on its plans with regard to the possible postponement of the date of application of the PRIIPs Regulation, as well as on the latest developments with the delegated act on key information documents.

11. **Criteria and process leading to the establishment of the EU list of non-cooperative jurisdictions for tax purposes**

= Draft Council conclusions  
13918/16 FISC 182 ECOFIN 991

Following an exchange of views, the Council adopted the text of the conclusions set out in 14166/16 and agreed to publish these conclusions for information purposes in the Official Journal.

12. **Any other business**

No issues were raised under this item.

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**STATEMENT FOR THE COUNCIL MINUTES**

**Ad "A" item 18:**      **Negotiations for agreement between the European Union and Norway on administrative cooperation, combating fraud and recovery of claims in the field of value-added tax**

**STATEMENT BY THE COMMISSION**

"The Commission welcomes the Council's support with respect to the negotiations for an Agreement between the European Union and Norway on administrative cooperation, combating fraud and recovery of claims in the field of value-added tax.

The Commission shall carefully consider the Council's recommendations. The Commission recalls, however, that such recommendations cannot bind the negotiator.

As previously indicated, the Commission disagrees with the recommendation to include a reference, in the Preamble, to 'the EU and its Member States' (instead of to 'the EU'). Moreover, the Commission considers that Norway's active participation in Eurofisc would serve both the Union's and Norway's interest in preventing VAT fraud."



**Ad "A" item 36:**      **Commission Regulation (EU) .../... of XXX amending Council Regulation (EC) No 338/97 on the protection of wild fauna and flora by regulating trade therein**  
=      **Decision not to oppose adoption**

#### **STATEMENT BY GERMANY**

"Germany assumes that the errors in the German version will be corrected as follows:

On page 58 the word 'Didieragewächse' will be changed to 'Didiereagewächse'.

On page 60 regarding 'Dalbergia cubilquitzensis (III) (Guatemala) (Population Guatemalas) #6' the word 'Granadillo' will be added in the column 'deutsche Bezeichnung'.

On page 60 regarding 'Dalbergia granadillo (II) #6' the term 'Rio Palisander' in the column 'deutsche Bezeichnung' will be replaced by the words 'Cocobolo, Granadillo'.

On page 60 regarding 'Dalbergia nigra (I) #6' the word 'Cocobolo' in the column 'deutsche Bezeichnung' will be replaced by the term 'Rio Palisander'.

On page 61 regarding 'Dalbergia retusa (II) #6' the word 'Honduras-Palisander' in the column 'deutsche Bezeichnung' will be replaced by the word 'Cocobolo'.

On page 61 regarding 'Dalbergia stevensonii (II) #6' the word 'Korallen-Palisander' in the column 'deutsche Bezeichnung' will be replaced by the word 'Honduras-Palisander'.

On page 61 regarding 'Dalbergia tucurensis (III Nicaragua. Zusätzlich hat Guatemala seine nationale Population gelistet) #6' the word 'Granadillo' will be added in the column 'deutsche Bezeichnung'.

On page 61 regarding 'Pterocarpus erinaceus (III Senegal) #1' the word 'Afrikanischer Palisander' will be added in the column 'deutsche Bezeichnung'."

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