



Council of the
European Union

Brussels, 4 June 2024
(OR. en)

10547/24
PV CONS 30
TRANS 260
TELECOM 198
ENER 266

DRAFT MINUTES

COUNCIL OF THE EUROPEAN UNION
(Transport, Telecommunications and Energy)

30 May 2024

1. Adoption of the agenda

The Council adopted the agenda set out in document 10234/24.

2. Approval of 'A' items


a) Non-legislative list 10310/24

The Council adopted all "A" items listed in the document above including all linguistic COR and REV documents presented for adoption.

A statement to these items is set out in the addendum.


b) Legislative list (Public deliberation in accordance with Article 16(8) of the Treaty on European Union) 10311/24

Health

1. **Regulation amending Regulations (EU) 2017/745 and (EU) 2017/746 as regards a gradual roll-out of Eudamed, the obligation to inform in case of interruption or discontinuation of supply, and transitional provisions for certain in vitro diagnostic medical devices**  10225/24
Adoption of the legislative act PE-CONS 54/24
approved by Coreper, Part 1, on 29 May 2024 + COR 1
+ **COR 2 (it)**
SAN

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union (legal basis: Article 114 and Article 168(4), point (c) TFEU).

Environment

2. **Regulation amending Regulation (EU) 2017/852 on mercury as regards dental amalgam and other mercury-added products**  10210/24
PE-CONS 53/24
ENV
Adoption of the legislative act
approved by Coreper, Part 1, on 29 May 2024

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union (legal basis: Article 192(1) TFEU).


Internal Market and Industry

3. **Directive on promoting the right to repair**  9378/24 + ADD 1
PE-CONS 34/24
CONSOM
Adoption of the legislative act
approved by Coreper, Part 1, on 29 May 2024

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union, with Estonia and Latvia abstaining (legal basis: Article 114 TFEU).

A statement to this item is set out in the Annex.

Economic and Financial Affairs


4. **Regulation on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing**  9464/1/24 REV 1
+ REV 1 ADD 1
PE-CONS 36/24
EF
Adoption of the legislative act
approved by Coreper, Part 2, on 22 May 2024

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union (legal basis: Article 114 TFEU).

A statement to this item is set out in the Annex.

5. **Regulation establishing the Authority for Anti-Money Laundering and Countering the Financing of Terrorism**  9573/24
Adoption of the legislative act PE-CONS 35/24
approved by Coreper, Part 2, on 22 May 2024 EF

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union (legal basis: Article 114 TFEU).

6. **Directive on the mechanisms to be put in place by Member States for the prevention of the use of the financial system for the purposes of money laundering or terrorist financing**  9574/24
Adoption of the legislative act PE-CONS 37/24
approved by Coreper, Part 2, on 22 May 2024 EF

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union (legal basis: Article 114 TFEU).

7. **Capital Requirements Regulation 3**  9576/24
Adoption of the legislative act PE-CONS 80/23
approved by Coreper, Part 2, on 22 May 2024 EF

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union (legal basis: Article 114 TFEU).

8. **Capital Requirements Directive VI**  9575/24
Adoption of the legislative act PE-CONS 79/23
approved by Coreper, Part 2, on 22 May 2024 EF

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union (legal basis: Article 53(1) TFEU).

Justice and Home Affairs

9. Directive amending Directive (EU) 2019/1153 on law enforcement access to financial information: single access point



10046/24 + ADD 1
PE-CONS 44/24
ENFOPOL

Adoption of the legislative act
approved by Coreper, Part 2, on 22 May 2024

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union (legal basis: Article 87(2) TFEU). In accordance with the relevant Protocols annexed to the Treaties, Denmark did not participate in the vote.

A statement to this item is set out in the Annex.

Non-legislative activities

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| 3. | Conclusions on the development of sustainable electricity grids
<i>Approval</i> | 10244/24 |
| 4. | REPowerEU Communication: quo vadis?
<i>Exchange of views</i> | 9774/24 |
| 5. | European Green Deal – state of play
<i>Exchange of views</i> | 9775/24 |

Any other business

- | | | | |
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| 6. | a) | Prevention of biofuels fraud
<i>Information from the French, German and Netherlands delegations</i> | 10302/24 |
| | b) | The impacts of the gas storage neutrality charge and the need for a better coordination at the European level
<i>Information from the Austrian, Hungarian, Slovak and Czech delegations</i> | 10265/24 |

- c) **‘Karlovy Vary Annual Policy Dialogue Statement’ and the need to strengthen just transition in regions affected by decarbonisation** [2] 9917/24
Information from the Czech and Slovak delegations

The Council took note of the information provided by the Czech and Slovak delegations.

- d) Terms and conditions (T&C) of the 2024 Innovation Fund Auction for RFNBO hydrogen production (second round of auction H2) 10386/24
Information from the Hungarian, Polish and Czech delegations

- e) **National energy and climate plans - state of play** [2] 10095/24
Information from the Commission

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

- f) Energy security and winter preparedness 10100/24
Information from the Commission

- g) Streamlining procedures for the adoption of capacity mechanisms in the context of Electricity Market Design (EMD) reform 10098/24
Information from the Commission

- h) Work programme of the incoming Presidency
Information from Hungary

[2] Public debate proposed by the Presidency (Article 8(2) of the Council's Rules of Procedure)

Statements to the legislative "A" items set out in doc. 10311/24

Ad "A" item 3: **Directive on promoting the right to repair**
 Adoption of the legislative act

JOINT STATEMENT BY ESTONIA AND LATVIA

“Estonia and Latvia support the main objectives of the Directive to promote sustainable consumption and improve the functioning of the internal market, thus promoting circular economy and environmental protection. At the same time, we believe that the measures adopted in pursuit of these goals should offer sufficient added value and be effective in practice.

Even though the initial proposal has improved to some extent (including during the trilogues), we are still not entirely convinced that all the measures introduced are appropriate and necessary for achieving the objectives of the Directive (i.e. the manufacturer’s obligation to repair and amendments to the recently transposed Sale of Goods Directive). But what it does achieve – **additional administrative burden** for businesses and Member States, and information overload for consumers.

In particular, our main concern from the start has been and still is the online platform.

Firstly, we are not persuaded that the average consumer would use it to look for information on repair service providers. In today’s technology-driven society, consumers already have access to different search engines and social media, which makes it convenient to find necessary information quickly and efficiently.

Secondly, although we find the single European Platform to be a better option compared to 27 national platforms, we are concerned about the administrative burden that managing of national sections brings to the Member States. Therefore, we are not in favour of placing the responsibility for ensuring the functioning of the national sections of an EU-wide platform on the Member States due to different costs related to administration, registration and user service. This is especially onerous for smaller Member States, such as Estonia and Latvia. Moreover, fragmentation of the internal market may occur amongst the EU, if each Member State has the possibility to impose conditions for registering and accessing the platform. Imposing additional conditions would be especially burdensome for small repairers, who would therefore not use the platform, reducing the competitiveness and visibility of small entrepreneurs.

In conclusion, we are of the opinion that ensuring the functioning of the national section of the European Platform is disproportionately burdensome and leads to unreasonable costs for the Member States. We still strongly doubt whether an online platform provides sufficient added value to justify imposing such an obligation on the Member States. We would be able to support the introduction of the European platform only on the condition that the Commission would be solely responsible for the development, management and ensuring the functioning of the platform (including the national sections).

In light of the above, Estonia and Latvia regrettably cannot endorse the final text.”

Ad "A" item 4:

Regulation on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing
Adoption of the legislative act

STATEMENT BY AUSTRIA

“Austria reiterates its strong commitment to the fight against financial crime and supports the compromise on the legislative package. Austria would like to underline that access to cash is an important issue both for the broader public and for social and financial inclusion. Austria supports further work to strengthen the legal tender of euro banknotes and coins, including in the context of the ongoing legislative negotiations on the legal tender Regulation.”

Ad "A" item 9:

Directive amending Directive (EU) 2019/1153 on law enforcement access to financial information: single access point
Adoption of the legislative act

STATEMENT BY THE COMMISSION

“In the Commission’s view, the appropriate place to address the matter of Europol cooperation with Financial Intelligence Units in relation to their joint analysis is in the context of the Anti Money Laundering package. The Commission underlines that any such cooperation with Europol will occur in accordance with Regulation (EU) 2016/794, in particular the rules on Europol’s tasks and on the protection of personal data laid down in that Regulation.”
