



Brussels, 23 January 2019  
(OR. en, fr)

5602/19  
CRS CRP 1

**SUMMARY RECORD**  
**PERMANENT REPRESENTATIVES COMMITTEE**  
**7 and 11 January 2019**

**I. Adoption of the agenda**

5025/19 OJ CRP1 1  
5003/2/19 REV 2 OJ CRP2 1 + COR 1 REV 1

The Committee adopted the agenda.

**II. Approval of the "I" items**

The Committee approved the "I" items as set out in the Annex.

**III. Discussion items**

**COREPER (PART 2)**

**Foreign Affairs**

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| 2. | Council Decision on the conclusion of the Partnership and | 15039/18 |
|    | Cooperation Agreement between the EU and Singapore        | 15375/18 |
|    | <i>Request for the consent of the European Parliament</i> |          |

The Committee approved the text of the Council Decision and agreed to include it on the list of A-items of the General Affairs Council on 8 January 2019. The Presidency concluded that the Committee will work at one of its upcoming meetings on a Council declaration or conclusions on the ancillary nature of CFSP legal bases in international agreements, on the basis of a note to be prepared by the Council Legal Service.

## **General Affairs**

### 3. Meeting of the Council (General Affairs) on 8 January 2019: Preparation

- a) Presentation of the priorities of the Romanian Presidency

The Committee prepared this item for the Council.

- b) Multiannual Financial Framework 2021-2027  
*Information from the Presidency*

The Committee prepared this item for the Council.

- c) Coordinated response on disinformation 15790/18  
*Exchange of views*

The Committee prepared this item for the Council.

- d) Legislative files - state of play

The Committee prepared this item for the Council.

- e) Other items in connection with the Council meeting

No items were raised under this heading.

## **Economic and Financial Affairs**

### 5. Meeting of the Council (Economic and Financial Affairs) on 22 January 2019: Preparation

Other items in connection with the Council meeting

The Presidency provided further information regarding the Council meeting.

## **COREPER (PART 1)**

### **Other**

18. Work programme of the Romanian Presidency  
*Information from the Presidency*

The Committee took note of the Presidency's work programme.

### **Employment and Social Policy**

19. Directive on transparent and predictable working conditions  
*Presidency debriefing on the outcome of the trilogue*

The Committee took note of the information provided by the Presidency on the outcome of the trilogues of 21 December 2018 and 10 January 2019.

20. Regulation on establishing a European Labour Authority  
*Presidency debriefing on the outcome of the trilogue*

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 8 January 2019.

### **Environment**

21. Regulation on CO2 standards for heavy-duty vehicles  
*Presidency debriefing on the outcome of the trilogue*

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 8 January 2019.

22. Regulation on LIFE  
*Presidency debriefing on the outcome of the trilogue*

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 9 January 2019.

### **Transport**

23. Directive amending Directive 92/106 on combined transport  
*Presidency debriefing on the outcome of the trilogue*

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 9 January 2019.

## **Research**

24. Regulation establishing Horizon Europe - Framework Programme  
*Presidency debriefing on the outcome of the trilogue*

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 9 January 2019.

## **IV. Any other business**

### **COREPER (PART 2)**

Migration/SAR

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

### **COREPER (PART 1)**

None.

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**"I" items approved****COREPER (PART 2)****Judicial Affairs**

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| 6. | Judgment of the General Court T-316/14 (PKK v Council)<br><i>Information note for the Permanent Representatives Committee</i><br><i>(Part 2)</i> | 15856/18<br>JUR |
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**Economic and Financial Affairs**

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| 4. | Investment firms supervision directive and regulation<br><i>Mandate for negotiations with the European Parliament</i> | 5020/2/19 REV 2<br>+ COR 1 + ADD 1<br>5021/19<br>5022/19 |
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**Statement by France**

"Les autorités françaises souhaitent souligner l'importance d'une réglementation prudentielle appropriée pour les entreprises d'investissement pour assurer la stabilité financière de l'Union. Elles accueillent positivement l'objectif de la proposition de la Commission de rationaliser et rendre plus adaptées qu'aujourd'hui les contraintes prudentielles qui s'y appliquent, ces entreprises contribuant positivement au financement par les marchés de l'économie européenne. Toutefois, elles regrettent que le régime envisagé soit, à certains égards, moins prudent et moins sensible aux risques que l'existant, à activités identiques. La France salue les renforcements apportés au régime s'agissant des entreprises ayant une activité ou un profil de risque d'une nature systémique et souhaite que ces derniers soient préservés dans les discussions avec le Parlement.

Les autorités françaises ont toujours promu l'objectif d'une plus grande convergence des pratiques de supervision, pouvant aller jusqu'à une supervision unique. Elles rappellent toutefois que la modification de la définition des établissements de crédit utilisée à cette fin pour les entreprises d'investissement dites systémiques, plutôt que la modification du règlement-cadre du mécanisme de supervision unique, est porteuse d'effets de bords dont les conséquences (accès aux opérations de l'Eurosystème, accès au Fonds de Résolution Unique, perturbation de l'application de la directive «conglomérats») auraient dû faire l'objet d'une analyse approfondie. Les autorités françaises estiment que l'approche retenue ne saurait constituer un précédent.

S'agissant des dispositions relatives au régime applicable aux entreprises de pays tiers, la France souhaite préserver l'intégrité et la stabilité des marchés européens et parvenir à un juste équilibre entre leur nécessaire ouverture et l'égalité concurrentielle entre les acteurs. Elle soutient les améliorations apportées au texte en ce sens. Les discussions avec le Parlement devront également permettre de poursuivre cet objectif prioritaire, s'agissant notamment des entreprises et activités pouvant avoir une nature systémique pour l'Union."

### Statement by Portugal

"Portugal broadly supports the proposed compromise for the Investment Firms Supervision Package, including entrusting the ECB with direct supervisory powers over systemic investment firms.

However, Portugal does not consider adequate the amendment to the definition of credit institution and considers that the approach taken should not constitute a precedent. Portugal considers that alternative options should have been further explored."

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| 7.  | ECA SR No 27/2018 on the Facility for Refugees in Turkey<br><i>Designation of a Working Party</i>                               | 15448/18<br>FIN |
| 8.  | ECA SR No 28/2018 on the majority of simplification measures brought into Horizon 2020<br><i>Designation of a Working Party</i> | 15451/18<br>FIN |
| 9.  | ECA SR No 29/2018 on EIOPA<br><i>Designation of a Working Party</i>                                                             | 15456/18<br>FIN |
| 10. | ECA SR No 32/2018 on European Union Emergency Trust Fund for Africa<br><i>Designation of a Working Party</i>                    | 15466/18<br>FIN |
| 11. | ECA SR No 33/2018 on combating desertification in the EU<br><i>Designation of a Working Party</i>                               | 15731/18<br>FIN |
| 12. | NPL Prudential backstop - Regulation<br><i>Confirmation of the final compromise text with a view to agreement</i>               | 5014/19<br>EF   |

### General Affairs

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| 13. | Implementation of EU macro-regional strategies - organisation of work in the Council<br><i>Information from the Presidency</i> | 15587/1/18 REV 1<br>REGIO |
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### Foreign Affairs

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| 14. | Appeal against judgment of the EU General Court in Case T-316/14, PKK v. Council<br><i>Approval</i> | 15762/18<br>CORLX |
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## **Delegated or Implementing Acts**

### **Economic and Financial Affairs**

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| 15. | Financial Services' Delegated Acts<br><i>Delegated act - Decision to request an extension of the time-limit</i>                                                                                                                                                                                                                                                                                   | 15842/1/18 REV 1<br>EF |
| a)  | Commission Delegated Regulation (EU) .../... of 29.11.2018 supplementing Directive (EU) 2015/2366 of the European Parliament and of the Council with regard to regulatory technical standards setting technical requirements on development, operation and maintenance of the electronic central register within the field of payment services and on access to the information contained therein | 15196/18               |
| b)  | Commission Delegated Regulation (EU) .../... of 12.12.2018 amending and correcting Delegated Regulation (EU) 2017/587 to specify the requirement for prices to reflect prevailing market conditions and to update and correct certain provisions                                                                                                                                                  | 15773/18               |
| c)  | Commission Delegated Regulation (EU) .../... of 13.12.2018 amending Delegated Regulation (EU) No 151/2013 with regard to access to the data held in trade repositories                                                                                                                                                                                                                            | 15770/18               |
| d)  | Commission Delegated Regulation (EU) .../... of 13.12.2018 amending Delegated Regulation (EU) No 150/2013 as regards regulatory technical standards specifying the details of the application for registration as a trade repository                                                                                                                                                              | 15772/18               |
| e)  | Commission Delegated Regulation (EU) .../... of 13.12.2018 amending Commission Delegated Regulation (EU) 2017/565 as regards certain registration conditions to promote the use of SME growth markets for the purposes of Directive 2014/65/EU of the European Parliament and of the Council                                                                                                      | 15774/18               |

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| f) | Commission Delegated Regulation (EU) .../... of 13.12.2018 supplementing Regulation (EU) 2015/2365 of the European Parliament and of the Council with regard to regulatory technical standards on access to details of securities financing transactions (SFTs) held in trade repositories                                                        | 15818/18 |
| g) | Commission Delegated Regulation (EU) .../... of 13.12.2018 supplementing Regulation (EU) 2015/2365 of the European Parliament and of the Council with regard to regulatory technical standards specifying the details of the application for registration and extension of registration as a trade repository                                     | 15819/18 |
| h) | Commission Delegated Regulation (EU) .../... of 13.12.2018 supplementing Regulation (EU) 2015/2365 of the European Parliament and of the Council with regard to regulatory technical standards on the collection, verification, aggregation, comparison and publication of data on securities financing transactions (SFTs) by trade repositories | 15820/18 |
| i) | Commission Delegated Regulation (EU) .../... of 13.12.2018 supplementing Regulation (EU) 2015/2365 of the European Parliament and of the Council with regard to fees charged by the European Securities and Markets Authority to trade repositories                                                                                               | 15826/18 |
| j) | Commission Delegated Regulation (EU) .../... of 13.12.2018 supplementing Regulation (EU) 2015/2365 of the European Parliament and of the Council with regard to regulatory technical standards specifying the details of securities financing transactions (SFTs) to be reported to trade repositories                                            | 15829/18 |
| k) | Commission Delegated Regulation (EU) No .../.. of 17.12.2018 supplementing Directive 2004/109/EC of the European Parliament and of the Council with regard to regulatory technical standards on the specification of a single electronic reporting format                                                                                         | 15831/18 |

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| l) | Commission Delegated Regulation (EU) .../... of 19.12.2018 amending Delegated Regulation (EU) 2016/2251 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council as regards the date until which counterparties may continue to apply their risk-management procedures for certain OTC derivative contracts not cleared by a CCP                                                                                                  | 15834/18 |
| m) | Commission Delegated Regulation (EU) .../... of 19.12.2018 amending Commission Delegated Regulation (EU) 2015/2205, Commission Delegated Regulation (EU) 2016/592 and Commission Delegated Regulation (EU) 2016/1178 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council as regards the date at which the clearing obligation takes effect for certain types of contracts                                                    | 15835/18 |
| n) | Commission delegated Regulation (EU) .../... of 19.12.2018 amending Delegated Regulation (EU) 2015/2205, Delegated Regulation (EU) 2016/592 and Delegated Regulation (EU) 2016/1178 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to regulatory technical standards on the clearing obligation to extend the dates of deferred application of the clearing obligation for certain OTC derivative contracts | 15861/18 |

## **COREPER (PART 1)**

### **Institutional Affairs**

#### **Written questions**

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| 25. | Replies to questions for written answer submitted to the Council<br>by Members of the European Parliament<br><i>Adoption by silence procedure</i> | 15752/18<br>PE-QE |
| a)  | Louis Michel (ALDE)<br>'Protection of minorities in Iraq'                                                                                         | 14864/18 + COR 1  |
| b)  | Martina Anderson (GUE/NGL)<br>'Situation of refugees detained and stranded in Tripoli,<br>Libya'                                                  | 14881/18          |
| c)  | Jeppe Kofod (S&D)<br>'Status of CbCR file within the Council'                                                                                     | 14866/18          |
| d)  | Vilija Blinkevičiūtė (S&D)<br>Measures to combat energy poverty                                                                                   | 14717/18          |
| e)  | Andor Deli (PPE)<br>'The speed of the accession negotiations process'                                                                             | 15007/18          |
| f)  | Philippe Lamberts (Verts/ALE)<br>'Libyan funds frozen in Belgium'                                                                                 | 14865/18          |
| g)  | Czesław Hoc (ECR)<br>'Council Decision on the introduction of a technical<br>measure'                                                             | 14868/18          |

#### **EU positions for international negotiations**

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| 26. | ICAO reply State letter<br><i>Establishment of the EU position</i><br><i>Approval</i> | 5049/19 |
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