



**COUNCIL OF
THE EUROPEAN UNION**

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SUMMARY RECORD

**Subject : 2267th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 17 and 23 March 2009**

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1. Adoption of the provisional agenda and items "I"
doc. 7588/09 OJ/CRP1 11 + AMD 1

The above mentioned agenda is approved.

The Committee approves the "I" items as set out in the summary. Details are contained in the document quoted under item 1.

Coreper Part 1

II

12. Single Sky package

- (a) **Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004 and (EC) No 552/2004 in order to improve the performance and sustainability of the European aviation system (First reading)**
- (b) **Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 216/2008 in the field of aerodromes, air traffic management and air navigation services and repealing Council Directive 06/23/EEC (First reading)**
 - **Presidency briefing on the outcome of the informal trialogue**
 - **Analysis of the new compromise text**
7485/09 AVIATION 40 CODEC 348

The Committee endorsed the compromise texts set out in the above document, with a view to reaching a first reading agreement on both Commission proposals.

13. **Proposal for a Regulation of the European Parliament and of the Council concerning statistics on plant protection products (Second reading)**

- **Preparation for the informal trialogue**
7552/09 STATIS 35 AGRI 104 ENV 198 CODEC 358

With a view to prepare the third informal trialogue with the European Parliament, the Committee exchanged views on the main issues set out by the Presidency in 7552/1/09 REV 1 and the Presidency room document (afterwards doc.7753/09).

Many delegations wished to change the verb "will" in new recital 4a to "could" or "would". The IE delegation suggested to add "if appropriate" before "extended".

The DE delegation suggested to add "commercial" before "non-agricultural" in the last indent of Annex II, section 6.

The UK delegation put forward a suggestion for the last indent in Annex II, section 6 (DS 216/09).

The Chair concluded that the text in 7753/09 should be changed to take account of the DE, IE and UK suggestions.

- 14. Review of the EU regulatory framework for electronic communications networks and services (Second reading) (This item will be discussed in restricted session)**
- (a) Proposal for a Directive of the European Parliament and of the Council amending Directives 2002/21/EC on a common regulatory framework for electronic communications networks and services, 2002/19/EC on access to, and interconnection, of electronic communications networks and associated facilities, and 2002/20/EC on the authorisation of electronic communications networks and services**
 - (b) Proposal for a Directive of the European Parliament and of the Council amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks, Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector and Regulation (EC) No 2006/2004 on consumer protection cooperation**
 - (c) Proposal for a Regulation of the European Parliament and of the Council establishing the Group of European Regulators in Telecoms**
 - **Preparation for the next trialogue**
7354/09 TELECOM 40 MI 105 COMPET 148 DATAPROTECT 13 CONSOM 52
CAB 8 CODEC 326
 - **Presidency briefing on the outcome of the trialogue and preparation for the next trialogue**

This point was discussed in restricted session.

- 15. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 717/2007 on roaming on public mobile telephone networks within the Community and Directive 2002/21/EC on a common regulatory framework for electronic communications networks and services**
- **Presidency briefing on the outcome of the trialogue**
 - **Preparation for the next trialogue**
7825/09 TELECOM 49 COMPET 154 MI 113 CONSOM 56 CODEC 387

On 17 March 2009, the Presidency presented to the Committee with compromise proposals on the roaming proposal and proposed to base discussion in a 1st trialogue on 16 March on these proposals (doc. 7825/1/09). The proposals covered the issues of duration, transparency, price caps and review. The Committee agreed to the proposed approach and text.

On 23 March 2009, the Presidency informed the Committee on the outcome of the 1st trialogue, where tentative agreement was established on the duration of the Regulation and on shortening the transparency provision on "bill-shock". The appropriate price caps would be set out in a 2nd trialogue. The Committee could agree to the Presidency compromise proposals put together in view of the 2nd and decisive Committee on 27 March (doc. 7825/1/09).

16. Proposal for a Regulation of the European Parliament and of the Council concerning trade in seal products (First reading)

- Preparation for the informal trialogue

7480/09 ENV 189 AGRI 99 MI 102 COMER 36 PECHE 58 CODEC 345

The Committee held an exchange of views and agreed to come back to this issue at one of its future meetings.

17. Road transport (European Parliament second reading)

(a) Proposal for a Regulation of the European Parliament and of the Council on common rules for access to the international road haulage market (recast)

(b) Proposal for a Regulation of the European Parliament and of the Council establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator

(c) Proposal for a Regulation of the European Parliament and of the Council on common rules for access to the international market for coach and bus services (recast)

- Preparation for the informal trialogue

7399/09 TRANS 98 CODEC 334 + ADD 1 + ADD 2 + ADD 3

The Committee had an in-depth examination of the approach to be taken by the Presidency at the informal trialogue on the above proposals on 24 March.

**18. Preparation of the Council meeting (Transport, Telecommunications and Energy)
on 30 and 31 March 2009**

**1. Proposal for a Directive of the European Parliament and of the Council amending
Directive 2002/15/EC on the organisation of the working time of persons
performing mobile road transport activities**

- General approach

14461/08 TRANS 335 SOC 617 CODEC 1352 + REV 1 (nl)
7548/09 TRANS 108 SOC 188 CODEC 356

The Committee succeeded in solving some of the outstanding issues and decided to refer the remaining reservations to the TTE Council on 30 March 2009 with a view to adopting a general approach on the above mentioned proposal.

**2. Communication from the Commission - Action Plan for the Deployment of
Intelligent Transport Systems in Europe**

- Adoption of Council conclusions

17563/08 TRANS 492 TELECOM 237 IND 235
7545/09 TRANS 106 TELECOM 44 IND 27

The Committee agreed to postpone the examination of this item to its next meeting on 25 March 2009.

**19. Proposal for a Regulation of the European Parliament and of the Council on the
voluntary participation by organisations in a Community eco-management and audit
scheme (EMAS) (First reading)**

- Presidency briefing on the outcome of the informal trialogue

The Committee heard a brief Presidency report concerning the outcome of the informal trialogue which took place on 17 March.

**20. Proposal for a Regulation of the European Parliament and of the Council on a
Community Ecolabel scheme (First reading)**

- Presidency briefing on the outcome of the informal trialogue

The Committee heard a brief Presidency report concerning the outcome of the informal trialogue which took place on 17 March.

21. Internal Energy Market legislative package (Second reading)
(This item will be discussed in restricted session)

- (a) Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/54/EC concerning common rules for the internal market in electricity**
- (b) Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/55/EC concerning common rules for the internal market in natural gas**
- (c) Proposal for a Regulation of the European Parliament and of the Council establishing an Agency for the Cooperation of Energy Regulators**
- (d) Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1228/2003 on conditions for access to the network for cross-border exchanges in electricity**
- (e) Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1775/2005 on conditions for access to the natural gas transmission networks**
- **Presidency briefing on the outcome of the informal trialogue**
- **Preparation for the next informal trialogue**
 - 5437/10/09 ENER 18 CODEC 48 REV 10
 - 5438/2/09 ENER 19 CODEC 49 REV 2
 - 5583/5/09 ENER 26 CODEC 62 REV 5
 - 5582/5/09 ENER 25 CODEC 61 REV 5
 - 5578/2/09 ENER 24 CODEC 60 REV 2

The Chairperson informed the Committee on the 6th trialogue which took place on 18 March and was devoted to unbundling, gas specifics, the Directives and the Agency.

Issues raised by the European Parliament related to the Agency's role in the handling of cross-border issues/exemptions, various requirements on unbundling, especially for the ITO option (the role of compliance officer, more stringent provisions on cooling-off periods, a sunset clause in the review procedure, limitation of minority shareholding to a certain %); a 3rd country clause better addressing EC energy security; energy poverty and the deployment of intelligent metering systems, the number of members of the Administrative Board nominated by the European Parliament, the nomination of the Agency's Director and the possibility to extend the tasks of the Agency.

Regarding the preparation of the last trialogue on 23 March the Chairperson outlined how the Presidency intended to proceed on the basis of the approach set out in 7873/09 to handle this trialogue, which should address the five acts in the package, and took stock of delegations' comments. Subject to some adjustments it appeared that the above documents could serve as a basis for the Presidency's mandate on issues related to the three Regulations, gas specifics and some other issues such as smart meters. Regarding unbundling the Chairperson had to conclude that the positions remained unchanged.
