



Council of the
European Union

Brussels, 31 October 2014
(OR. en)

14364/14
ADD 1

PV/CONS 51
SOC 694
EMPL 133
SAN 391
CONSOM 208

DRAFT MINUTES

Subject: **3339th** meeting of the COUNCIL OF THE EUROPEAN UNION
**(EMPLOYMENT, SOCIAL POLICY, HEALTH AND CONSUMER
AFFAIRS)** held in Luxembourg on 16 October 2014

PUBLIC DELIBERATION ITEMS¹

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LEGISLATIVE DELIBERATIONS

"A" ITEM (doc. 14071/14 PTS 73)

- Proposal for a Directive of the European Parliament and of the Council amending Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic [First reading] (LA+S)..... 3

"B" ITEM (doc. 14054/14 OJ CONS 51 SOC 675 EMPL 124 SAN 381 CONSOM 196)

- 4. Proposal for a Decision of the European Parliament and of the Council on establishing a European Platform to enhance cooperation in the prevention and deterrence of undeclared work [First reading] 4

NON-LEGISLATIVE ACTIVITIES - PUBLIC DEBATES

- 5. Europe 2020 Strategy: Mid-term review, including the evaluation of the European Semester 5

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¹ Deliberations on Union legislative acts (Article 16(8) of the Treaty on European Union), other deliberations open to the public and public debates (Article 8 of the Council's Rules of Procedure).

LEGISLATIVE DELIBERATIONS

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

"A" ITEM

- **Proposal for a Directive of the European Parliament and of the Council amending Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic [First reading] (LA+S)**

= Adoption

a) of the Council's position at first reading

b) of the statement of the Council's reasons

14074/14 CODEC 1980 TRANS 468

+ ADD 1

11296/14 TRANS 345 CODEC 1531

+ ADD 1

approved by Coreper, Part 2, on 15.10.2014

The Council approved its position at first reading, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union. (Legal basis: Article 91 of the TFEU)

Statements by the Commission:

1. "The European Commission has already provided guidance on the application of Article 4 of the Directive; transport operations do not have significant impact on international competition if the cross-border use remains limited to two Member States where the existing infrastructure and the road safety requirements allow it. This balances the Member States' right under the principle of subsidiarity to decide on transport solutions suited to their specific circumstances with the need to prevent such policies from distorting the internal market."
2. "The Commission underlines that it is contrary to the letter and to the spirit of Regulation 182/2011 to invoke Article 5, paragraph 4, second subparagraph, point (b) in a systematic manner. Recourse to this provision must respond to a specific need to depart from the rule of principle which is that the Commission may adopt a draft implementing act when no opinion is delivered. Given that it is an exception to the general rule established by Article 5, paragraph 4, recourse to second subparagraph, point (b) cannot be simply seen as a "discretionary power" of the Legislator, but must be interpreted in a restrictive manner and thus must be justified."

Joint Statement by Finland and Sweden

"In accordance with Directive 96/53/EC Member States may authorise on their territories vehicles or vehicle combinations with deviating weights and/or dimensions than the ones listed in Annex I of the Directive. Such vehicles or vehicle combinations should also be allowed to circulate in cross-border operations between Member States. It follows from the economic and internal market objectives that such a transport operation across the border should not be prohibited between two Member States if both authorise it.

The current situation concerning cross-border operations should be safeguarded also in the future. Without legal certainty in this matter, the result may be non-proportional internal market barriers for vehicles circulating between Member States."

"B" ITEMS

4. Proposal for a Decision of the European Parliament and of the Council on establishing a European Platform to enhance cooperation in the prevention and deterrence of undeclared work [First reading]

Interinstitutional file: 2014/0124 (COD)

– General approach

9008/14 SOC 297 JAI 236 MIGR 50 ECOFIN 398 COMPET 243 CODEC 1120

13667/14 SOC 653 EMPL 115 JAI 712 MIGR 128 ECOFIN 855 COMPET 543

CODEC 1891

+ COR 1

+ ADD 1

The Council reached a general approach as set out in ADD 1 to doc. 13667/14 + COR1.

A number of Member States welcomed the agreement with a view to start negotiations with the European Parliament as soon as possible.

NON-LEGISLATIVE ACTIVITIES

(Public debate in accordance with article 8(2) of the Council's Rules of Procedures [proposed by the Presidency])

5. Europe 2020 Strategy: Mid-term review, including the evaluation of the European Semester

- Policy debate
13854/14 SOC 666 EMPL 122 EDUC 296 ECOFIN 875

The Council held a policy debate on the basis of contributions from the Employment and Social Protection Committees. The discussion in the context of the Europe 2020 mid-term review, including the European Semester, was guided by a Presidency note (doc. 13854/14). The results of this policy debate, together with inputs from other Council formations, will be reflected in the Presidency Summary Report, to be submitted to the General Affairs Council in December.

The Council underlined that the targets and objectives of the Strategy are still relevant and that the use of existing tools should be optimised, ensuring a clear link and interplay between the Strategy and the Semester. Ministers stressed that coherent economic policies should refocus on objectives important for employment, social concerns and cohesion. The governance structures should reflect this. They also called upon some improvements to be made to the European Semester process, particularly as regards time constraints, consultation and ownership.

(a) Joint opinion of the Employment (EMCO) and Social Protection (SPC) Committees

- Endorsement
13809/14 SOC 662 EMPL 120 EDUC 297 ECOFIN 876

The Council endorsed the joint EMCO and SPC opinion contained in the above-mentioned document.

(b) Social policy reforms for a fair and competitive Europe: review of recent social policy reforms (SPC report)

- Endorsement of key messages for the 2015 Annual Growth Survey
13693/14 SOC 654 EMPL 116
+ ADD 1

The Council endorsed the key messages of the report of the SPC contained in the above-mentioned document.