



Committee on Legal Affairs

JURI_PV(2017)0619

MINUTES

Meeting of 19 June 2017, 15.00-18.30,
and 20 June 2017, 09.00-12.30 and 16.30-19.00
BRUSSELS

The meeting opened at 15.07 on Monday, 19 June 2017, with Pavel Svoboda (Chair) presiding.

1. Adoption of agenda

The agenda was adopted, amended as shown below. JURI (2017)0619_1

2. Chair's announcements

None.

3. Approval of minutes of meetings of:

- 11-12 April 2017 PV – PE603.030v01-00
- 3-4 May 2017 PV – PE604.684v02-00

4. Exchange of views with Frans Timmermans, first Vice-President of the European Commission, in charge of Better Regulation, Inter-Institutional Relations, the Rule of Law and the Charter of Fundamental Rights, in the context of the structured dialogue between Parliament and the Commission

The following spoke: Mary Honeyball, Sylvia-Yvonne Kaufmann, Max Andersson, Gilles Lebreton, Axel Voss and Laura Ferrara.

5. Presentation by Legal Service of the interinstitutional manual for the drafting of legislative acts

The following spoke: Guido Ricci (Legal Service)

6. Electronic publication of the Official Journal of the European Union
JURI/8/09339

The following spoke: Pavel Svoboda (rapporteur), Sylvia-Yvonne Kaufmann and Emanuele Grigolon (European Commission).

7. Application of Directive 2004/35/EC of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage (the ‘ELD’)

JURI/8/08013

2016/2251(INI)

The following spoke: Laura Ferrara (rapporteur), Heidi Hautala, and Jytte Guteland.

8. Mutual recognition of freezing and confiscation orders

JURI/8/08871

***I 2016/0412(COD) COM(2016)0819 – C8-0002/2017

The following spoke: Pavel Svoboda (rapporteur) and Sylvia-Yvonne Kaufmann.

9. Respect for private life and the protection of personal data in electronic communications and repealing Directive 2002/58/EC (Regulation on Privacy and Electronic Communications)

JURI/8/08980

***I 2017/0003(COD) COM(2017)0010 – C8-0009/2017

The following spoke: Axel Voss (rapporteur), Jens Rohde, Mady Delvaux, Max Andersson and Despina Spanou (European Commission).

10. Subsidiarity (Rule 42)

(COM(2016)0861 – 2016/0379(COD))

Reasoned opinions of the Romanian Chamber of Deputies, the Romanian Senate and the Austrian Federal Council (Bundesrat) on the proposal for a Regulation of the European Parliament and of the Council on the internal market for electricity (recast).

11. Exchange of views with Andrus Ansip, Vice-President of the European Commission in charge of Digital Single Market, in the context of the structured dialogue between Parliament and the Commission

The following spoke: Evelyn Regner, Julia Reda, Max Andersson, Mary Honeyball, Mady Delvaux, Axel Voss and Sylvia-Yvonne Kaufmann.

12. Verification of credentials (Rule 3)

The committee unanimously verified the credentials of Mr Thierry Cornillet (to replace Ms Sylvie Goulard) and Ms Patricia Lalonde (to replace Ms Marielle De Sarnez) as from 18 May 2017.

13. Request for waiver of the immunity of Marine Le Pen

JURI/8/09866

2017/2062(IMM)

An exchange of views on the request for the waiver of the parliamentary immunity of Marine Le Pen took place.

14. Request for waiver of the immunity of Marie-Christine Boutonnet

JURI/8/09867

2017/2063(IMM)

An exchange of views on the request for the waiver of the parliamentary immunity of Marie-Christine Boutonnet took place.

The meeting ended at 18.45 and resumed in camera on 20 June at 9.07 with Pavel Svoboda (Chair) presiding.

A coordinators' meeting followed.

15. Disputes involving Parliament (Rule 141)

The committee unanimously decided to recommend to the President that Parliament intervene in Case T-168/17, CBA Spielapparate- und Restaurantbetriebs GmbH v. Commission and in Case T-283/17, SH v Commission and submit observations in Case C-152/17 Consorzio Italian Management and Catania Multiservizi SpA, in each case to defend legislation adopted in co-decision.

The committee decided to deal with LIBE's request that the committee recommend to the President to bring an action for failure to act against the Commission in the field of visa reciprocity in accordance with Article 1(4) of Regulation No 539/2001 by a written procedure.

16. Request for defence of the privileges and immunity of Stanislav Polčák

JURI/8/09370

2017/2034(IMM)

The Chair informed the committee that Stanislav Polčák had withdrawn his request for the defence of his immunity. The Chair will inform the President.

The meeting was suspended at 9.20 and resumed at 9.57.

17. Chair's announcements concerning coordinators' decisions

1. Laura Ferrara was appointed rapporteur for the request to waive the immunity of Ana Gomes.
2. A draft programme for a public hearing on "The ELI/UNIDROIT Civil Procedure Project: state of play and next steps" was adopted
3. The following were appointed standing rapporteurs for the period 1 July - 31 December 2017: Jean-Marie Cavada (legal basis), Laura Ferrara

(subsidiarity), Heidi Hatuala (contentious matters), Gilles Lebreton (comitology/delegation of legislative acts/delegated acts), Jiri Mastalka (codifications/recats).

18. Certain aspects of mediation in civil and commercial matters (The Mediation Directive)

JURI/8/06325

2016/2066(INI)

The following amendments were adopted: AM 13, AM 14, AMC 5, AM 20, AM 17, AMC 6, AM 21, AMC 7, AM 28, AMC 8, AMC 1, AMC 2, AMC 3, AM 7, AMC 4, AM 12.

The draft report was adopted by 21/0/2.

19. Proportionality test before adoption of new regulation of professions

JURI/8/09035

***I 2016/0404(COD) COM(2016)0822 – C8-0012/2017

The draft opinion was rejected by 11/11/1.

20. Amendment to Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work

JURI/8/10086

***I 2016/0130(COD) COM(2016)0248 – C8-0181/2016

A recommendation was unanimously adopted to add to Article 153(2) TFEU a reference to point (b) as well as to Article 153(1)(a) TFEU and to delete the reference to Article 17(1) of the Carcinogens Directive from the legal basis of the proposed instrument.

21. Posting of workers in the framework of the provision of services

JURI/8/05992

***I 2016/0070(COD) COM(2016)0128 – C8-0114/2016

The following amendments were adopted: AMC 10, AM 8, AMC 11, AM 10, AM 114, AM 12, AM 116, AM 13, AM 117, AM 19, AM 20, AM 1, AMC 1, AMC 2, AMC 3, AMC 4, AMC 5, AM 5 (second part, from “In view of” until end), AMC 6, AM 47, AMC 7, AMC 8, AM 6, AM 63, AM 64, AMC 9.

The draft opinion was adopted by 12/9/2.

Items 22-24 were treated together.

22. Commission Delegated Regulation (EU) No.../...of XXX supplementing Council Regulation (EC) No 207/2009 on the European Union trade mark and repealing Commission Regulations (EC) No 2868/95 and (EC) No 216/96

23. Commission Delegated Regulation (EU) No.../...of XXX amending Annex I of Regulation (EC) No 1896/2006 of the European Parliament and of the Council creating a European order for payment procedure

24. Commission Delegated Regulation (EU) No.../...of XXX replacing Annexes I, II, III and IV to Regulation (EC) No 861/2007 of the European Parliament and of the Council establishing a European Small Claims Procedure

The Committee decided to raise no objections to the delegated acts.

Items 25-26 were treated together.

25. Adapting a number of legal acts in the area of Justice providing for the use of the regulatory procedure with scrutiny to Article 290 of the Treaty on the Functioning of the EU

JURI/8/08779

***I 2016/0399(COD) COM(2016)0798 – C8-0525/2016

26. Adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 of the Treaty on the Functioning of the EU

JURI/8/08809

***I 2016/0400(COD) COM(2016)0799 – C8-0524/2016

The following spoke: Jozsef Szajer (rapporteur), Daniel Buda and Henning Klaus (European Commission).

27. Hearing on The insolvency proposal

The following spoke: Pavel Svoboda, Leticia Gayo (Head of Risk and Banking Business Legal Services, BBVA), Luc Hendrickx (Responsible for Competitiveness of Enterprises, External Relations and Legal Affairs, UEAPME), Peter Scherrer (Deputy Secretary General, ETUC), Axel Bierbach, Valérie Leloup-Thomas, Aurélia Perdereau (Administrateur judiciaire), experts from the Commission and Angelika Niebler.

The meeting closed at 12.30

Results of roll-call votes

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Key to symbols:

- + : in favour
- : against
- 0 : abstention

1. Certain aspects of mediation in civil and commercial matters (The Mediation Directive) - 2016/2066(INI) – Rapporteur: Kostas Chrysogonos

1.1. Final vote

21	+
ALDE	António Marinho e Pinto, Jens Rohde
ECR	Angel Dshambazki, Kosma Zlotowski
EFDD	Joëlle Bergeron, Laura Ferrara
PPE	Daniel Buda, Rosa Estaràs Ferragut, Angelika Niebler, Emil Radev, Pavel Svoboda, József Szájer, Axel Voss
S&D	Mady Delvaux, Lidia Joanna Geringer de Oedenberg, Mary Honeyball, Sylvia-Yvonne Kaufmann, Evelyn Regner, Tiemo Wölken
VERTS/ALE	Max Andersson, Julia Reda

0	-

2	0
ENF	Gerolf Annemans, Mylène Troszczynski

	Corrections to vote
+	
-	
0	

2. Posting of workers in the framework of the provision of services - 2016/0070(COD) - Rapporteur: Jean-Marie Cavada

2.1. Final vote

12	+
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ALDE	António Marinho e Pinto, Jens Rohde
EFDD	Joëlle Bergeron, Laura Ferrara
S&D	Mady Delvaux, Lidia Joanna Geringer de Oedenberg, Mary Honeyball, Sylvia-Yvonne Kaufmann, Evelyn Regner, Tiemo Wölken
VERTS/ALE	Max Andersson, Julia Reda

9	-
ECR	Angel Dshambazki, Kosma Zlotowski
PPR	Daniel Buda, Rosa Estaràs Ferragut, Angelika Niebler, Emil Radev, Pavel Svoboda, József Szájer, Axel Voss

2	0
ENF	Gerolf Annemans, Mylène Troszczynski

	Corrections to vote
+	
-	
0	

3. Proportionality test before adoption of new regulation of professions - 2016/0404(COD) – Rapporteur: Gilles Lebreton

3.1. Final vote

11	+
ECR	Angel Dshambazki, Kosma Zlotowski
EFDD	Joëlle Bergeron
ENF	Gerolf Annemans, Mylène Troszczynski
PPE	Daniel Buda, Rosa Estaràs Ferragut, Angelika Niebler, Pavel Svoboda, József Szájer, Axel Voss

11	-
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ALDE	António Marinho e Pinto, Jens Rohde
EFDD	Laura Ferrara
S&D	Mady Delvaux, Lidia Joanna Geringer de Oedenberg, Mary Honeyball, Sylvia-Yvonne Kaufmann, Evelyn Regner, Tiemo Wölken
VERTS/ALE	Max Andersson, Julia Reda

1	0
PPE	Emil Radev

	Corrections to vote
+	
-	
0	

4. Amendment to Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work - 2016/0130(COD) – Rapporteur: Jytte Guteland

4.1. Final vote

23	+
ALDE	António Marinho e Pinto, Jens Rohde
ECR	Angel Dshambazki, Kosma Zlotowski
EFDD	Joëlle Bergeron, Laura Ferrara
ENF	Gerolf Annemans, Mylène Troszczynski
PPE	Daniel Buda, Rosa Estaràs Ferragut, Angelika Niebler, Emil Radev, Pavel Svoboda, József Szájer, Axel Voss
S&D	Mady Delvaux, Lidia Joanna Geringer de Oedenberg, Mary Honeyball, Sylvia-Yvonne Kaufmann, Evelyn Regner, Tiemo Wölken
VERTS/ALE	Max Andersson, Julia Reda

0	-
0	

0	0

	Corrections to vote
+	
-	
0	

**ПРИСЪСТВЕН ЛИСТ/LISTA DE ASISTENCIA/PREZENČNÍ LISTINA/DELTAGERLISTE/
ANWESENHEITSLISTE/KOHALOLIJATE NIMEKIRI/KATAΣΤΑΣΗ ΠΑΡΟΝΤΩΝ/RECORD OF ATTENDANCE/
LISTE DE PRÉSENCE/POPIS NAZOČNIH/ELENCO DI PRESENZA/APMEKLĒJUMU REĢISTRŠ/DALYVIŲ SĄRAŠAS/
JELENLÉTI ÍV/REĢISTRU TA' ATTENDENZA/PRESENTIELIJST/LISTA OBECNOŠCI/LISTA DE PRESENÇAS/
LISTĂ DE PREZENȚĂ/PREZENČNÁ LISTINA/SEZNAM NAVZOČIH/LÄSNÄOLOLISTA/DELTAGARLISTA**

Бюро/Mesa/Předsednictvo/Formandskabet/Vorstand/Juhatus/Προεδρείο/Bureau/Predsjedništvo/Ufficio di presidenza/Prezidijs/ Biuras/Elnökség/Prezydium/Birou/Předsednictvo/Predsedstvo/Puheenjohtajisto/Presidiet (*)
Mady Delvaux, Pavel Svoboda, Lidia Joanna Geringer de Oedenberg (2)
Членове/Diputados/Poslanci/Medlemmer/Mitglieder/Parlamendiliikmed/Μέλη/Members/Députés/Zastupnici/Deputati/Deputāti/Nariai/ Képviselők/Membri/Leden/Posłowie/Deputados/Deputați/Jäsenet/Ledamöter
Max Andersson, Joëlle Bergeron, Rosa Estaràs Ferragut (2), Laura Ferrara, Mary Honeyball, Sylvia-Yvonne Kaufmann, Gilles Lebreton (1), António Marinho e Pinto (2), Emil Radev (2), Julia Reda, Evelyn Regner, József Szájer (2), Axel Voss
Заместници/Suplentes/Náhradníci/Stedfortrædere/Stellvertreter/Asendusliikmed/Αναπληρωτές/Substitutes/Suppléants/Zamjenici/ Supplenti/Aizstājēji/Pavaduojantysnariai/Póttagok/Sostituti/Plaatsvervangers/Zastępcy/Membros suplentes/Supleanți/Náhradníci/ Namestniki/Varajäsenet/Suppleanter
Daniel Buda, Pascal Durand (1), Angel Dzhabazki, Evelyn Gebhardt (2), Jytte Guteland (1), Heidi Hautala (2), Angelika Niebler, Jens Rohde, Virginie Rozière (2), Tiemo Wölken (2), Kosma Złotowski (2)

200 (2)
Gerolf Annemans (2), Pervenche Berès (1), Karoline Graswander-Hainz (1), Mylène Troszczynski (2)
206 (3)
53 (8) (Точка от дневния ред/Punto del orden del día/Bod pořadu jednání (OJ)/Punkt på dagsordenen/Tagesordnungspunkt/ Päevakorra punkt/Ημερήσια Διάταξη Σημείο/Agenda item/Point OJ/Τοčka dnevnog reda/Punto all'ordine del giorno/Darba kārtības punkts/Darbotvarkės punktas/Napirendi pont/Punt Agenda/Agendapunt/Punkt porządku dziennego/Ponto OD/Punct de pe ordinea de zi/Bod programu schôdze/Τοčka UL/Esityslistan kohta/Föredragningslista punkt)
Enrique Calvet Chambon, Paloma López Bermejo, Edouard Martin
30
Jean-François Jalkh
17, 18

Присъствал на/Presente el/Přítomný dne/Til stede den/Anwesend am/Viibis(id) kohal/Παρόν στις/Present on/Présent le/Nazočni
dana/Presente il/Piedalījās/ Dalyvauja/Jelen volt/Preženti fi/Aanwezig op/Obecny dnia/Presente em/Prezent/Přítomný dňa/Navzoči
dne/Läsnä/Närvarande den:

- (1) 19.6.2017
(2) 20.6.2017

Наблюдатели/Observadores/Pozorovatelé/Observatører/Beobachter/Vaatlejad/Παρατηρητές/Observers/Observateurs/Promatrači/Osservatori/Novērotāji/Stebėtojai/Megfigyelők/Osservatori/Waarnemers/Obserwatorzy/Observadores/Observatori/Pozorovatelia/Opazovalci/Tarkkailijat/Observatörer

По покана на председателя/Por invitación del presidente/Na pozvání předsedy/Efter indbydelse fra formanden/Auf Einladung des Vorsitzenden/Εσιμεhe kutsel/Με πρόσκληση του Προέδρου/At the invitation of the Chair(wo)man/Sur l'invitation du président/Na poziv predsjednika/Su invito del presidente/Pēc priekšsēdētāja uzaicinājuma/Pirmininkui pakvietus/Az elnök meghívására/Fuq stedina taċ-'Chairman'/Op uitnodiging van de voorzitter/Na zaproszenie Przewodniczącego/A convite do Presidente/La invitația președintelui/Na pozvanie predsedu/Na povabilo predsednika/Puheenjohtajan kutsusta/På ordförandens inbjudan

Съвет/Consejo/Rada/Rådet/Rat/Nōukogu/Συμβούλιο/Council/Conseil/Vijeće/Consiglio/Padome/Taryba/Tanács/Kunsill/Raad/Conselho/Consiliu/Svet/Neuvosto/Rådet (*)

Комисия/Comisión/Komise/Kommissionen/Kommission/Euroopa Komisjon/Επιτροπή/Commission/Komisija/Commissione/Bizottság/Kummissjoni/Commissie/Komisja/Comissão/Comisie/Komisia/Komissio/Kommissionen (*)

Други институции/Otras instituciones/Ostatní orgány a instituce/Andre institutioner/Andere Organe/Muud institutsioonid/Άλλα θεσμικά όργανα/Other institutions/Autres institutions/Druge institucije/Altre istituzioni/Citas iestādes/Kitos institucijos/Más intézmények/Istituzzjonijiet oħra/Andere instellingen/Inne instytucje/Outras Instituições/Alte instituții/Iné inštitúcie/Muut toimielimet/Andra institutioner/organ

Други участници/Otros participantes/Ostatní účastníci/Endvidere deltog/Andere Teilnehmer/Muud osalejad/Επίσης Παρόντες/Other participants/Autres participants/Drugi sudionici/Altri partecipanti/Citi klātesošie/Kiti dalyviai/Más résztvevők/Partecipanti oħra/Andere aanwezigen/Inni uczestnicy/Outros participantes/Alți participanți/Iní účastníci/Drugi udeleženci/Muut osallistujat/Övriga deltagare

Секретариат на политическите групи/Secretaría de los Grupos políticos/Sekretariát politických skupin/Gruppernes sekretariat/Sekretariat der Fraktionen/Fraktsioonide sekretariaat/Γραμματεία των Πολιτικών Ομάδων/Sekretariats of political groups/Secrétariat des groupes politiques/Tajništva klubova zastupnika/Segreteria gruppi politici/Politisko grupu sekretariāts/Frakcijų sekretoriai/Képviseletcsoportok titkársága/Segretariat gruppi politici/Fractiesecretariaten/Sekretariat Grup Politycznych/Secr. dos grupos políticos/Secretariate grupuri politice/Sekretariát politických skupin/Sekretariat političnih skupin/Poliittisten ryhmien sihteeristöt/Gruppenas sekretariat	
PPE S&D ECR ALDE GUE/NGL Verts/ALE EFDD ENF NI	

Кабинет на председателя/Gabinete del Presidente/Kancelář předsedy/Formandens Kabinet/Kabinett des Präsidenten/Presidendi kantslei/Γραφείο Προέδρου/President's Office/Cabinet du Président/Ured predsjednika/Gabinetto del Presidente/Priekšsēdētāja kabinets/Pirmininko kabinetas/Elnöki hivatal/Kabinett tal-President/Kabinet van de Voorzitter/Gabinet Przewodniczącego/Gabinete do Presidente/Cabinet Președinte/Kancelária predsedu/Urad predsednika/Puhemiehen kabinetti/Talmannens kansli	
Кабинет на генералния секретар/Gabinete del Secretario General/Kancelář generálního tajemníka/Generalsekretærens Kabinet/Kabinett des Generalsekretärs/Peasekretäri büroo/Γραφείο Γενικού Γραμματέα/Secretary-General's Office/Cabinet du Secrétaire général/Ured glavnog tajnika/Gabinetto del Segretario generale/Generalsekretära kabinets/Generalinio sekretoriaus kabinetas/Főtitkári hivatal/Kabinett tas-Segretarju Generali/Kabinet van de secretaris-generaal/Gabinet Sekretarza Generalnego/Gabinete do Secretário-Geral/Cabinet Secretar General/Kancelária generálního tajemníka/Urad generalnega sekretarja/Pääsihteerin kabinetti/Generalsekreterarens kansli	
Генерална дирекция/Dirección General/Generální ředitelství/Generaldirektorat/Generaldirektion/Peadirektoraat/Γενική Διεύθυνση/Directorate-General/Direction générale/Glavna uprava/Direzione generale/Generāldirektorāts/Generalinis direktoratas/Főigazgatóság/Direktorat Generali/Direktoraten-generaal/Dyrekcja Generalna/Direcção-Geral/Direcții Generale/Generálne riaditeľstvo/Generalni direktorat/Päaosasto/Generaldirektorat	
DG PRES DG IPOL DG EXPO DG EPRS DG COMM DG PERS DG INLO DG TRAD DG INTE DG FINS DG ITEC DG SAFE	

Правна служба/Servicio Jurídico/Právní služba/Juridisk Tjeneste/Juristischer Dienst/Öigusteenistus/Νομική Υπηρεσία/Legal Service/Service juridique/Pravna služba/Servizio giuridico/Juridiskais dienests/Teisės tarnyba/Jogi szolgálat/Servizz legali/Juridische Dienst/Wydział prawny/Serviço Jurídico/Serviciu Juridic/Právny servis/Oikeudellinen yksikkö/Rättstjänsten
Nsez
Robert Bray, Valeria Ghilardi, Henrik Kjellin, Magnus Nordanskog, Carine Piaguet, Francisco Ruiz Risueno, Kjell Sevón, Andrea Scrimali, Zampia Vernadaki
Сътрудник/Asistente/Asistent/Assistent/Assistenz/Βοηθός/Assistant/Assistente/Palīgs/Padējējas/Asszisztens/Asystent/Pomočnik/Avustaja/Assistenten
Silvia Jurigova

- * (P) = Председател/Presidente/Předseda/Formand/Vorsitzender/Esimees/Πρόεδρος/Chair(wo)man/Président/Predsjednik/Priekšsēdētājs/Pirmininkas/Elnök/'Chairman'/Voorzitter/Przewodniczący/Preşedinte/Predseda/Predsednik/Puheenjohtaja/Ordförande
- (VP) = Заместник-председател/Vicepresidente/Místopředseda/Næstformand/Stellvertretender Vorsitzender/Aseesimees/Αντιπρόεδρος/Vice-Chair(wo)man/Potpredsjednik/Vice-Président/Potpredsjednik/Priekšsēdētāja vietnieks/Pirmininko pavaduotojas/Alelnök/Víci 'Chairman'/Ondervoorzitter/Wiceprzewodniczący/Vice-Presidente/Vicepreşedinte/Podpredseda/Podpredsednik/Varapuheenjohtaja/Vice ordförande
- (M) = Член/Miembro/Člen/Medlem./Mitglied/Parlamendiliige/Μέλος/Member/Membre/Član/Membro/Deputāts/Narys/Képviselő/Membru/Lid/Członek/Membro/Membru/Člen/Poslanec/Jäsen/Ledamot
- (F) = Длъжностно лице/Funcionario/Úředník/Tjenestemand/Beamter/Ametnik/Υπάλληλος/Official/Fonctionnaire/Dužnosnik/Funzionario/Ierēdnis/Pareigūnas/Tisztviselő/Ufficjal/Ambtenaar/Urzędnik/Funcionário/Funcționar/Úradník/Uradnik/Virkamies/Tjänsteman