



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

**PV(2017) 2230 final**

**- English language version of the French text which is authentic -**

Brussels, 29 November 2017

# **TEXTE EN**

## **MINUTES**

**of the 2230<sup>th</sup> meeting of the Commission**

**held in Strasbourg**

**(Winston Churchill building)**

**on Tuesday 24 October 2017**

**(afternoon)**

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## TABLE OF CONTENTS

|                                                                                                                                                                                                                                                                                          |            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>Attendance list</b>                                                                                                                                                                                                                                                                   | <b>4-6</b> |
| 1. AGENDAS (OJ(2017) 2230/FINAL; SEC(2017) 449/FINAL) .....                                                                                                                                                                                                                              | 7          |
| 2. WEEKLY MEETING OF CHEFS DE CABINET (RCC(2017) 2230).....                                                                                                                                                                                                                              | 7          |
| 3. APPROVAL OF THE MINUTES OF THE 2222 <sup>ND</sup> , 2223 <sup>RD</sup> , 2225 <sup>TH</sup> ,<br>2226 <sup>TH</sup> , 2227 <sup>TH</sup> , 2228 <sup>TH</sup> AND 2229 <sup>TH</sup> MEETINGS OF THE<br>COMMISSION (26 JULY, 6, 20, 27 SEPTEMBER, 3, 11 AND<br>18 OCTOBER 2017) ..... | 7          |
| 4. INTERINSTITUTIONAL RELATIONS (RCC(2017) 133) .....                                                                                                                                                                                                                                    | 7          |
| 4.1. LEGISLATIVE MATTERS .....                                                                                                                                                                                                                                                           | 8          |
| 4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL .....                                                                                                                                                                                                                           | 10         |
| 4.3. RELATIONS WITH PARLIAMENT .....                                                                                                                                                                                                                                                     | 11         |
| 4.4. RELATIONS WITH NATIONAL PARLIAMENTS, THE OTHER INSTITUTIONS<br>AND BODIES, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND<br>THE COMMITTEE OF THE REGIONS.....                                                                                                                      | 12         |
| 4.5. OTHER BUSINESS.....                                                                                                                                                                                                                                                                 | 13         |
| 5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION<br>OF POWERS.....                                                                                                                                                                                                                      | 13         |
| 5.1. WRITTEN PROCEDURES APPROVED (SEC(2017) 450 ET SEQ.).....                                                                                                                                                                                                                            | 13         |
| 5.2. EMPOWERMENT (SEC(2017) 451 ET SEQ.) .....                                                                                                                                                                                                                                           | 14         |
| 5.3. DELEGATION / SUBDELEGATION OF POWERS (SEC(2017) 452 ET SEQ.).....                                                                                                                                                                                                                   | 14         |
| 5.4. SENSITIVE WRITTEN PROCEDURES (SEC(2017) 453) .....                                                                                                                                                                                                                                  | 14         |

|      |                                                                                                                                                                                                                                                                                                                               |    |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 6.   | COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE, THE COMMITTEE OF THE REGIONS AND THE EUROPEAN INVESTMENT BANK – A STRONGER AND RENEWED STRATEGIC PARTNERSHIP WITH THE EU'S OUTERMOST REGIONS (COM(2017) 623 AND /2; SWD(2017) 349; RCC(2017) 134)..... | 14 |
| 7.   | COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – COMMISSION WORK PROGRAMME 2018 – AN AGENDA FOR A MORE UNITED, STRONGER AND MORE DEMOCRATIC EUROPE (COM(2017) 650 TO /4) .....                                        | 15 |
| 8.   | COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – COMPLETING THE BETTER REGULATION AGENDA: BETTER SOLUTIONS FOR BETTER RESULTS (COM(2017) 651 AND /2; SWD(2017) 675 AND /2) .....                                      | 15 |
| 9.   | OTHER BUSINESS.....                                                                                                                                                                                                                                                                                                           | 18 |
| 9.1. | LATEST DEVELOPMENTS CONCERNING THE RENEWAL OF APPROVAL OF THE ACTIVE SUBSTANCE GLYPHOSATE .....                                                                                                                                                                                                                               | 18 |
| 9.2. | EUROPEAN SEMESTER OF ECONOMIC AND BUDGETARY POLICY COORDINATION FOR 2018 – PRELIMINARY EVALUATION OF THE MEMBER STATES' DRAFT BUDGETARY PLANS FOR 2018 .....                                                                                                                                                                  | 18 |

**Single sitting: Tuesday 24 October 2017 (afternoon)**

The sitting opened at 13.10 with Mr JUNCKER, President, in the chair.

**Present:**

|                 |                      |                           |
|-----------------|----------------------|---------------------------|
| Mr JUNCKER      | President            |                           |
| Mr TIMMERMANS   | First Vice-President |                           |
| Mr ŠEFČOVIČ     | Vice-President       | Items 7/8 (in part) and 9 |
| Mr DOMBROVSKIS  | Vice-President       |                           |
| Mr KATAINEN     | Vice-President       |                           |
| Mr OETTINGER    | Member               |                           |
| Mr HAHN         | Member               |                           |
| Ms MALMSTRÖM    | Member               |                           |
| Mr MIMICA       | Member               |                           |
| Mr ARIAS CAÑETE | Member               |                           |
| Mr VELLA        | Member               |                           |
| Mr ANDRIUKAITIS | Member               |                           |
| Mr AVRAMOPOULOS | Member               |                           |
| Ms THYSEN       | Member               |                           |
| Mr MOSCOVICI    | Member               |                           |
| Mr STYLIANIDES  | Member               |                           |
| Mr HOGAN        | Member               |                           |
| Ms BULC         | Member               |                           |
| Mr NAVRACSICS   | Member               |                           |
| Ms CREȚU        | Member               |                           |
| Ms VESTAGER     | Member               |                           |
| Mr MOEDAS       | Member               |                           |

Absent:

|                 |                                         |
|-----------------|-----------------------------------------|
| Ms MOGHERINI    | High Representative /<br>Vice-President |
| Mr ANSIP        | Vice-President                          |
| Ms BIENKOWSKA   | Member                                  |
| Ms JOUROVÁ      | Member                                  |
| Sir Julian KING | Member                                  |
| Ms GABRIEL      | Member                                  |

The following sat in to represent absent Members of the Commission:

|               |                                     |
|---------------|-------------------------------------|
| Mr PETROCELLI | A member of Ms MOGHERINI's staff    |
| Mr LEPASSAAR  | Chef de cabinet to Mr ANSIP         |
| Mr HUSAK      | Chef de cabinet to Ms BIEŃKOWSKA    |
| Mr HULICIUS   | A member of Ms JOUROVÁ's staff      |
| Ms DEKA       | A member of Sir Julian KING's staff |
| Ms BORISSOVA  | Chef de cabinet to Ms GABRIEL       |

The following also sat in:

|                      |                                                                                |                        |
|----------------------|--------------------------------------------------------------------------------|------------------------|
| Mr SELMAYR           | Chef de cabinet to the PRESIDENT                                               |                        |
| Mr ROMERO REQUENA    | Director-General, Legal Service                                                |                        |
| Mr PESONEN           | Director-General, DG Communication                                             |                        |
| Mr SCHINAS           | Head of the Spokesperson's Service and<br>Chief Spokesperson of the Commission |                        |
| Ms METTLER           | Head of the European Political Strategy<br>Centre                              |                        |
| Ms MARTÍNEZ ALBEROLA | Deputy Chef de cabinet to the<br>PRESIDENT                                     |                        |
| Ms SILLAVEE          | PRESIDENT's Office                                                             |                        |
| Ms SUTTON            | Deputy Chef de cabinet to<br>Mr TIMMERMANS                                     | Items 1 to 9 (in part) |
| Mr WYNANDS           | Chef de cabinet to Mr DOMBROVSKIS                                              | Item 9 (in part)       |
| Mr PRADALIE          | A member of Mr ANDRIUKAITIS's staff                                            | Item 9 (in part)       |
| Mr BAILLY            | Chef de cabinet to Mr MOSCOVICI                                                | Item 9 (in part)       |
| Ms ANDREEVA          | Commission Spokesperson's Service                                              |                        |

Secretary: Mr ITALIANER, Secretary-General, assisted by Mr AYET PUIGARNAU,  
Director in the Secretariat-General.

**1. AGENDAS**

**(OJ(2017) 2230/FINAL; SEC(2017) 449/FINAL)**

The Commission took note of that day's agenda and of the tentative agendas for forthcoming meetings.

**2. WEEKLY MEETING OF CHEFS DE CABINET**

**(RCC(2017) 2230)**

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 23 October.

**3. APPROVAL OF THE MINUTES OF THE 2222<sup>ND</sup>, 2223<sup>RD</sup>, 2225<sup>TH</sup>, 2226<sup>TH</sup>, 2227<sup>TH</sup>, 2228<sup>TH</sup> AND 2229<sup>TH</sup> MEETINGS OF THE COMMISSION (26 JULY, 6, 20, 27 SEPTEMBER, 3, 11 AND 18 OCTOBER 2017)**

The Commission held over approval of the minutes of its 2222<sup>nd</sup>, 2223<sup>rd</sup>, 2225<sup>th</sup>, 2226<sup>th</sup>, 2227<sup>th</sup>, 2228<sup>th</sup> and 2229<sup>th</sup> meetings for a later meeting.

**4. INTERINSTITUTIONAL RELATIONS**

**(RCC(2017) 133)**

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 20 October (RCC(2017) 133).

It paid particular attention to the following points.

#### **4.1. LEGISLATIVE MATTERS**

##### **i) Trilogue**

(point 3.1 of the IRG record)

- Amendment of Regulation (EU) 575/2013 as regards the leverage ratio, the net stable funding ratio, requirements for own funds and eligible liabilities, counterparty credit risk, market risk, exposures to central counterparties, exposures to collective investment undertakings, large exposures, reporting and disclosure requirements, and amendment of Regulation (EU) 648/2012 (Regulation) – SIMON report – 2016/0360 (COD)

The Commission approved the line set out in SI(2017) 473.

##### **ii) European Parliament dossiers - Results of October II part-session**

(point 3.2 of the IRG record)

##### Non-legislative procedure

- Euro-Mediterranean Aviation Agreement between the European Union and its Member States, of the one part, and the Kingdom of Morocco, of the other part (Council Decision) – RIQUET report – 2006/0048 (NLE)

The Commission approved the line set out in SP(2017) 683.

##### Implementing acts

- Approval of the active substance glyphosate in accordance with Regulation (EC) 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market (Commission Implementing Decision) / Placing on the market of products containing, consisting of, or produced from genetically modified soybean 305423 x 40-3-2, pursuant to Regulation (EC) 1829/2003 (Commission Implementing Decision) / Placing on the

market of products containing, consisting of, or produced from genetically modified oilseed rapes MON 88302 x Ms8 x Rf3, pursuant to Regulation (EC) 1829/2003 (Commission Implementing Decision) / Placing on the market of products containing, consisting of, or produced from genetically modified maize 1507, pursuant to Regulation (EC) 1829/2003 (Commission Implementing Decision) – Objections under Article 106 of the European Parliament's Rules of Procedure

The Commission took note of SP(2017) 679.

### **iii) Council dossiers**

(point 3.3 of the IRG record)

- Respect for private life and the protection of personal data in electronic communications, and repeal of Directive 2002/58/EC (Regulation on Privacy and Electronic Communications) (Regulation) – LAURISTIN report – 2017/0003 (COD)

The Commission took note of the replies to the questionnaire from the Presidency set out in SI(2017) 475, and decided to send them to the Member States as part of the preparation of the extraordinary Transport, Telecommunications and Energy Council on 24 October.

- Modernising VAT for cross-border B2C e-commerce – Amendment of Directive 2006/112/EC and Directive 2009/132/EC as regards certain value added tax obligations for supplies of services and distance sales of goods (Council Directive) – IVAN report – 2016/0370 (CNS) / Amendment of Regulation (EU) 904/2010 on administrative cooperation and combating fraud in the field of value added tax (Council Regulation) – NIEDERMAYER report – 2016/0371 (CNS) / Amendment of Implementing Regulation (EU) 282/2011 laying down implementing measures for Directive 2006/112/EC on the common system of value added tax (Council Implementing Regulation) – 2016/0372 (NLE)

The Commission approved the line set out in SI(2017) 484.

#### **4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL**

##### **iv) Programming of Council business**

(SI(2017) 490)

The Commission took note of the information in SI(2017) 490 on the Council meetings between 26 October and 8 November.

##### **v) Non-legislative dossiers**

(point 4.1 of the IRG record)

- Conclusion and signing, on behalf of the European Union, of an Agreement between the European Union and the Swiss Confederation on the linking of their Greenhouse Gas Emissions Trading Systems (Council Decisions) – FJELLNER report – 2017/0193 (NLE) / 2017/0194 (NLE)

The Commission approved the line set out in SI(2017) 476.

- International Maritime Organisation (IMO) – Commission Staff Working Document for the Council Shipping Working Party – Joint European Union submissions – SWD(2017) 334 and SWD(2017) 335

The Commission approved the line set out in SI(2017) 483.

##### **vi) Preparation for the Employment, Social Policy, Health and Consumer Affairs Council (Luxembourg, 23 October)**

(point 4.2.1 of the IRG record)

- Amendment of Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (Directive) – MORIN-CHARTIER and JONGERIUS report – 2016/0070 (COD)

The Commission approved the line set out in SI(2017) 485/3.

#### **4.3. RELATIONS WITH PARLIAMENT**

##### **vii) Non-legislative dossiers – Preparations for October II part-session**

(point 5.1.1 of the IRG record)

- Draft general budget of the European Union for 2018 - all sections - MUREŞAN and ASHWORTH report

The Commission (i) approved the line set out in SP(2017) 650 and /3, (ii) authorised the Member of the Commission with responsibility for the budget to take all the necessary initiatives with a view to reconciling the positions of the European Parliament and the Council in accordance with Article 314(5) of the Treaty on the Functioning of the European Union, and (iii) empowered the Member of the Commission with responsibility for the budget, in agreement with the PRESIDENT, to propose, where necessary, in the context of the conciliation procedure, amendments to the decisions on mobilising the flexibility instrument and the contingency margin, pursuant to the conditions laid down in Articles 11 and 13 respectively of the Council Regulation on the multiannual financial framework 2014-2020, and points 12 and 14 respectively of the interinstitutional agreement between the European Parliament, the Council and the Commission on budgetary discipline, cooperation in budgetary matters and sound financial management.

- Economic policies of the euro area – HÖKMARK report – 2017/2114 (INI)

The Commission took note of the information in SP(2017) 681.

- Major interpellation - Coordinated efforts at EU level to increase vaccination coverage – O-000074/2017

The Commission took note of the information in SP(2017) 658/2.

- Neutrality of airline reservation systems and restriction of access to flight information O-000075/2017

The Commission took note of the information in SP(2017) 678.

**viii) Participation by Members of Parliament in international conferences**

(point 5.7 of the IRG record)

- 11<sup>th</sup> Ministerial Conference of the World Trade Organisation (Buenos Aires, 10 to 13 December)

The Commission agreed to the request to the PRESIDENT from Mr Tajani, the President of the European Parliament, concerning the attendance of five additional Members of the European Parliament at the above-mentioned meeting as observers in the EU delegation, with a reminder about the procedure to be followed, in accordance with SP(2017) 662.

**4.4. RELATIONS WITH NATIONAL PARLIAMENTS, THE OTHER INSTITUTIONS AND BODIES, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS**

**ix) Relations with national parliaments**

(point 6.1.3 of the IRG record)

- Appearance of Mr Servaas DEROOSE, Deputy Director-General for Economic and Financial Affairs, before the Spanish Parliamentary Committee of Inquiry into the financial crisis in Spain and the Financial Sector Assistance Programme (Madrid, 2 November 2017)

The Commission authorised Mr Servaas DEROOSE to reply to the questions of the Spanish Parliamentary Committee of Inquiry, following the line set out in SNP(2017) 32 and /2.

**x) Follow-up to opinions of the European Economic and Social Committee – Plenary session of March 2017**

(point 6.3.1 of the IRG record)

The Commission approved document SC(2017) 40 on the follow-up by the Commission to the opinions adopted by the European Economic and Social Committee during the March 2017 session, for transmission to that Committee.

**4.5. OTHER BUSINESS**

**xi) Guiding principles and Policy recommendations to be finalised at the Global Forum on Steel Excess Capacity (GFSEC) and endorsed by the relevant ministers at the ministerial meeting (Berlin, 30 November 2017) / Government/Authorities Meeting in Semiconductors (GAMS) – Regional Support Guidelines and Best Practices and Chair's Summary (Busan, from 31 October to 2 November 2017)**

(point 7 of the IRG record)

The Commission approved the line set out in SI(2017) 487 and SI(2017) 488.

**5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS**

**5.1. WRITTEN PROCEDURES APPROVED**

**(SEC(2017) 450 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 16 and 20 October.

**5.2. EMPOWERMENT**

**(SEC(2017) 451 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 16 and 20 October.

**5.3. DELEGATION / SUBDELEGATION OF POWERS**

**(SEC(2017) 452 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 16 and 20 October, as archived in Decide.

**5.4. SENSITIVE WRITTEN PROCEDURES**

**(SEC(2017) 453)**

The Commission took note of the sensitive written procedures for which the time limit expired between 23 and 27 October 2017.

**6. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE, THE COMMITTEE OF THE REGIONS AND THE EUROPEAN INVESTMENT BANK – A STRONGER AND RENEWED STRATEGIC PARTNERSHIP WITH THE EU'S OUTERMOST REGIONS  
(COM(2017) 623 AND /2; SWD(2017) 349; RCC(2017) 134)**

The Commission approved the communication in COM(2017) 623/2 for transmission to Parliament, the Council, the Economic and Social Committee, the Committee of the Regions and the European Investment Bank, and, for information, to the national parliaments, together with the staff working document distributed as SWD(2017) 349, the contents of which were noted.

7. **COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – COMMISSION WORK PROGRAMME 2018 – AN AGENDA FOR A MORE UNITED, STRONGER AND MORE DEMOCRATIC EUROPE  
(COM(2017) 650 TO /4)**
8. **COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – COMPLETING THE BETTER REGULATION AGENDA: BETTER SOLUTIONS FOR BETTER RESULTS  
(COM(2017) 651 AND /2; SWD(2017) 675 AND /2)**

At the invitation of the PRESIDENT, Mr TIMMERMANS presented the final text of the Commission's Work Programme for 2018.

Mr TIMMERMANS explained that, on the one hand, this Work Programme implemented the letter of intent that he and the PRESIDENT had sent to Antonio Tajani, the President of the European Parliament, and Jüri Ratas, the Prime Minister of Estonia, which currently held the rotating presidency of the Council. On the other, it fully reflected the ambition and content of the PRESIDENT's State of the Union address of 13 September.

He added that the programme had been the subject of a long series of preparatory meetings, both within the Commission and with other institutions, as provided for in the Interinstitutional Agreement on Better Law-Making and the framework agreement on cooperation between the European Parliament and the European Commission. He thanked the Members of the Commission for their personal commitment vis-à-vis the Conference of Committee Chairs of the European Parliament and, in particular, the Vice-Presidents and their teams, as well as the

Secretariat-General, for their excellent coordination work throughout this important annual process.

The final text of the Work Programme submitted that day for approval took account of the points agreed during a highly consensual round table at the weekly meeting of chefs de cabinet. It also took account of two subsequent amendments to ensure that it was fully consistent with the State of the Union address, namely the addition of a double reference to (i) the accession of Croatia to the Schengen area once it met all the criteria, and (ii) the opening of trade negotiations with Australia and New Zealand once the Council had entrusted the mandate for these negotiations to the Commission.

Mr TIMMERMANS stressed that at this stage the text was balanced and constituted a good basis for completing the work on the Commission's ten political priorities for 2014-2019 and preparing the future of the Union of 27 up to 2025, through a series of initiatives aimed at building a more united, stronger and more democratic Union.

Regarding the 26 new legislative initiatives that the College had undertaken to present the following year, set out in Annex 1 to the document, he highlighted the need to submit them before May 2018, given that the European Parliament elections were due to be held in June 2019. At the same time, he stressed that it was all the more important for the Commission to deliver on its commitment to better regulation and to improving the quality of its proposals because Parliament and the Council would have to discuss and adopt these proposals before the end of the current parliamentary term.

He also drew attention to Annex 3 to the Work Programme, which listed the priority proposals, and explained that this list was the starting point for the negotiations on the joint declaration of the presidents of the three institutions on the legislative priorities for 2018. This declaration could be signed at the plenary session of the European Parliament next December.

Lastly, he highlighted the 15 pending proposals in Annex 4, which the Commission suggested withdrawing either because many of them were now obsolete, or in order to reduce the number of dossiers that were currently blocked, as in the case of the structural reform of credit institutions, or because the Commission intended to submit new proposals, as with the proposals on visas or the proposals on making available own resources.

Mr TIMMERMANS welcomed the fact that by proposing this Work Programme for 2018, the Commission was demonstrating its capacity to be ‘big on big things, small on small things’ until the end of its term of office, which could serve as an example of good practice for future Commissions. He concluded his presentation by encouraging the Members of the Commission to pursue their task with energy and creativity so that the proposals announced in the Work Programme could be approved and yield concrete results for European businesses and citizens before the next European elections.

In the ensuing exchange of views, the Commission discussed in particular the importance of its targeted approach and of the substantial reduction in the number of proposals it presented and, in this connection, the fact that despite the significant results obtained, several dialogues with citizens had shown that Europeans still perceived this number as too high.

The PRESIDENT closed the exchange by thanking Mr TIMMERMANS and the Members of the Commission for making this balanced and positive result possible.

Following this exchange of views, the Commission:

- approved the Communication in COM(2017) 650/3 and /4 for transmission to Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, and, for information, to the national parliaments;
- approved the Communication in COM(2017) 651/2 for transmission to Parliament, the Council, the European Economic and Social Committee and the

Committee of the Regions, and, for information, to the national parliaments, together with the staff working document distributed as SWD(2017) 675/2, the contents of which were noted.

## **9. OTHER BUSINESS**

### ***9.1. LATEST DEVELOPMENTS CONCERNING THE RENEWAL OF APPROVAL OF THE ACTIVE SUBSTANCE GLYPHOSATE***

The Commission took stock of the state of play on the draft Commission implementing regulation renewing the approval of the active substance glyphosate in accordance with Regulation (EC) 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market.

### ***9.2. EUROPEAN SEMESTER OF ECONOMIC AND BUDGETARY POLICY COORDINATION FOR 2018 – PRELIMINARY EVALUATION OF THE MEMBER STATES' DRAFT BUDGETARY PLANS FOR 2018***

At the request of the PRESIDENT, Mr DOMBROVSKIS and Mr MOSCOVICI outlined the background to the examination by the Commission of the draft budgetary plans which the euro area Member States (with the exception of Greece, which benefited from an assistance programme) had been required to submit by 16 October and presented the results of their preliminary evaluation. The Commission had published these drafts on its website.

\* \* \*

The PRESIDENT welcomed the unanimous endorsement by the Employment, Social Policy, Health and Consumer Affairs Council on 23 October of the European Pillar of Social Rights and the adoption of a general approach to the reform of the Posting of Workers Directive (see also item 4.2(vi) of these Minutes). He warmly congratulated Ms THYSSEN on her excellent work on these dossiers and the efforts made throughout the negotiations in order to achieve these important results.

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The Commission's other discussions on certain agenda items are recorded in the special minutes.

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The meeting closed at 14.43.