



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2019) 2291 final

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

Brussels, 7 May 2019

TEXTE EN

MINUTES

of the 2291st meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 10 April 2019

(morning)

—

PV(2019) 2291 final

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

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Single sitting: Wednesday 10 April 2019 (morning)

The sitting opened at 10.36 with Mr JUNCKER, President, in the chair.

Present:

Mr JUNCKER	President	
Mr TIMMERMANS	First Vice-President	
Ms MOGHERINI	High Representative / Vice-President	
Mr ANSIP	Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Mr KATAINEN	Vice-President	
Mr OETTINGER	Member	
Mr MIMICA	Member	
Mr ARIAS CAÑETE	Member	
Mr VELLA	Member	
Mr AVRAMOPOULOS	Member	Item 7 (in part)
Mr STYLIANIDES	Member	
Mr HOGAN	Member	
Ms BULC	Member	
Mr NAVRACSICS	Member	
Ms CREȚU	Member	
Ms VESTAGER	Member	
Mr MOEDAS	Member	
Sir Julian KING	Member	
Ms GABRIEL	Member	

Absent:

Mr DOMBROVSKIS	Vice-President
Mr HAHN	Member
Ms MALMSTRÖM	Member
Mr ANDRIUKAITIS	Member
Ms THYSEN	Member
Mr MOSCOVICI	Member
Ms BIEŃKOWSKA	Member
Ms JOUROVÁ	Member

(10 April 2019)

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

Mr SUARDI	Deputy Chef de cabinet to Mr DOMBROVSKIS
Ms UDWIN	Deputy Chef de cabinet to Mr HAHN
Mr CEBALLOS BARÓN	Deputy Chef de cabinet to Ms MALMSTRÖM
Ms BERNAERTS	Chef de cabinet to Ms THYSSEN
Mr BAILLY	Chef de cabinet to Mr MOSCOVICI
Mr HEDBERG	Deputy Chef de cabinet to Ms BIENKOWSKA
Mr BRAUN	Deputy Chef de cabinet to Ms JOUROVÁ

The following also sat in:

Ms MARTÍNEZ ALBEROLA	Chef de cabinet to the PRESIDENT	
Mr ROMERO REQUENA	Director-General, Legal Service	
Ms AHRENKILDE HANSEN	Director-General, DG Communication	
Mr SCHINAS	Head of the Spokesperson's Service and Chief Spokesperson of the Commission	
Ms METTLER	Head of the European Political Strategy Centre	
Ms JUHANSONE	Deputy Secretary-General	
Ms GAUER	Deputy Secretary-General	
Mr LEARDINI	Acting Deputy Secretary-General	
Mr SZOSTAK	Deputy Chef de cabinet to the PRESIDENT	Item 7 (in part)
Ms DEJMEK HACK	Adviser in the PRESIDENT's Office	Item 7 (in part)
Mr REMY	PRESIDENT's Office	
Mr BARNIER	Chief negotiator and Head of the Article 50 Task Force	
Mr WATSON	Director in the Secretariat-General	
Mr SNELS	Secretariat-General	
Ms ANDREEVA	Commission Spokesperson's Service	

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

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1. AGENDAS

(OJ(2019) 2291/FINAL; SEC(2019) 2291)

The Commission took note of that day's agenda and of the tentative agendas for forthcoming meetings. It also took note of the addition of item 6.1 (on an administrative decision) to that day's agenda.

2. WEEKLY MEETING OF CHEFS DE CABINET

(RCC(2019) 2291)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Tuesday 9 April 2019.

3. APPROVAL OF THE MINUTES OF THE 2289TH AND 2290TH MEETINGS OF THE COMMISSION (26 MARCH AND 3 APRIL 2019)

The Commission held over approval of the minutes of its 2289th and 2290th meetings for a later meeting.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2019) 44)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 5 April 2019 (RCC(2019) 44).

It paid particular attention to the following points.

4.1. HORIZONTAL ITEM

- i) Commission Work Programme 2019 – Withdrawals of pending proposals – Publication of the list of withdrawals in the Official Journal of the European Union**
(point 1.2 of the IRG record)

As stated in its Work Programme for 2019 adopted on 23 October 2018, the Commission decided to withdraw the ten pending proposals and publish the list in the Official Journal of the European Union, in accordance with the line set out in SPI(2019) 19.

4.2. LEGISLATIVE MATTERS

- ii) European Parliament dossiers – April II 2019 part-session**
(point 3.2 of the IRG record)

Ordinary legislative procedure – First reading

- Sovereign bond-backed securities (Regulation) – FERNÁNDEZ report – 2018/0171 (COD)

The Commission approved the line set out in SP(2019) 339.

- Capital Markets Union Action Plan – Amendment of Directive 2009/65/EC of the European Parliament and of the Council and Directive 2011/61/EU of the European Parliament and of the Council with regard to cross-border distribution of collective investment funds (Directive) – KLINZ report – 2018/0041 (COD) / Facilitating cross-border distribution of collective investment funds and amendment of Regulations (EU) 345/2013 and (EU) 346/2013 (Regulation) – KLINZ report – 2018/0045 (COD)

The Commission took note of SP(2019) 340, further to note SI(2019) 208, which it had already approved on 27 February 2019.

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- Prudential supervision of investment firms and amendment of Directives 2013/36/EU and 2014/65/EU (Directive) – FERBER report – 2017/0358 (COD) / Prudential requirements of investment firms and amendment of Regulations (EU) No 575/2013, (EU) No 600/2014 and (EU) No 1093/2010 (Regulation) – FERBER report – 2017/0359 (COD)

The Commission took note of SP(2019) 341, further to note SI(2019) 285, which it had already approved on 20 March 2019.

- Banking Package – Amendment of Regulation (EU) No 806/2014 as regards loss-absorbing and Recapitalisation Capacity for credit institutions and investment firms (Regulation) – HÖKMARK report – 2016/0361 (COD) / Amendment of Directive 2014/59/EU on loss-absorbing and recapitalisation capacity of credit institutions and investment firms and amending Directive 98/26/EC, Directive 2002/47/EC, Directive 2012/30/EU, Directive 2011/35/EU, Directive 2005/56/EC, Directive 2004/25/EC and Directive 2007/36/EC (Directive) – HÖKMARK report – 2016/0362 (COD) / Amendment of Regulation (EU) No 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 amending Regulation (EU) No 648/2012 (Regulation) – SIMON report – 2016/0360A (COD) / Amendment of Directive 2013/36/EU as regards exempted entities, financial holding companies, mixed financial holding companies, remuneration, supervisory measures and powers and capital conservation measures (Directive) – SIMON report – 2016/0364 (COD)

The Commission took note of SP(2019) 342, further to notes SI(2019) 136 and SI(2019) 184, which it had already approved on 12 and 20 February 2019.

- Amendment of Regulation (EU) 1093/2010 establishing a European Supervisory Authority (European Banking Authority); Regulation (EU) 1094/2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority); Regulation (EU) 1095/2010 establishing a European Supervisory Authority (European Securities and Markets Authority); Regulation (EU) 345/2013 on European venture capital funds; Regulation (EU) 346/2013 on European social entrepreneurship funds; Regulation (EU) 600/2014 on markets in financial instruments; Regulation (EU) 2015/760 on European long-term investment funds; Regulation (EU) 2016/1011 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds; Regulation (EU) 2017/1129 on the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market; and Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money-laundering or terrorist financing (Regulation) – KARAS & BERÈS report – 2017/0230 (COD) / Amendment of Regulation (EU) 1092/2010 on the macro-prudential oversight of the financial system and establishing a European Systemic Risk Board (Regulation) – KARAS & BERÈS report – 2017/0232 (COD) / Amendment of Directive 2014/65/EU on markets in financial instruments, and of Directive 2009/138/EC on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (Directive) – KARAS & BERÈS report – 2017/0231 (COD)

The Commission took note of SP(2019) 343, further to note SI(2019) 308/2, which it had already approved on 26 March 2019.

- Protection of persons reporting on breaches of Union law (Directive) – ROZIÈRE report – 2018/0106 (COD)

The Commission took note of SP(2019) 344, further to note SI(2019) 296/2, which it had already approved on 20 March 2019.

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- Amendment of Council Directive 93/13/EEC of 5 April 1993, Directive 98/6/EC of the European Parliament and of the Council, Directive 2005/29/EC of the European Parliament and of the Council and Directive 2011/83/EU of the European Parliament and of the Council as regards better enforcement and modernisation of EU consumer protection rules (Directive) – DALTON report – 2018/0090 (COD)

The Commission took note of SP(2019) 345, further to note SI(2019) 335, which it had already approved on 3 April 2019.

- Amendment of Directive (EU) 2017/1132 as regards cross-border conversions, mergers and divisions (Directive) – REGNER report – 2018/0114 (COD)

The Commission took note of SP(2019) 322, further to note SI(2019) 298, which it had already approved on 20 March 2019.

- Amendment of Regulation (EU, Euratom) 883/2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) as regards cooperation with the European Public Prosecutor's Office and the effectiveness of OLAF investigations (Regulation) – GRÄSSLE report – 2018/0170 (COD)

The Commission approved the line set out in SP(2019) 336.

- Conservation of fishery resources and protection of marine ecosystems through technical measures, amendment of Council Regulations (EC) 1967/2006, (EC) 1098/2007, (EC) 1224/2009 and Regulations (EU) 1343/2011 and (EU) 1380/2013 of the European Parliament and of the Council, and repeal of Council Regulations (EC) 894/97, (EC) 850/98, (EC) 2549/2000, (EC) 254/2002, (EC) 812/2004 and (EC) 2187/2005 (Regulation) – MATO report – 2016/0074 (COD)

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The Commission took note of SP(2019) 338, further to note SI(2019) 178, which it had already approved on 20 February 2019.

- Conservation and control measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation and repeal of Council Regulation (EC) 2115/2005 and Council Regulation (EC) 1386/2007 (Regulation) – SERRÃO SANTOS report – 2018/0304 (COD)

The Commission took note of SP(2019) 337, further to note SI(2019) 166, which it had already approved on 20 February 2019.

- Promotion of fairness and transparency for business users of online intermediation (Regulation) – SCHALDEMOSE report – 2018/0112 (COD)

The Commission took note of SP(2019) 346, further to note SI(2019) 260, which it had already approved on 12 March 2019.

- Transparency and sustainability of the EU risk assessment in the food chain, amendment of Regulation (EC) 178/2002 [on general food law], Directive 2001/18/EC [on the deliberate release into the environment of GMOs], Regulation (EC) 1829/2003 [on GM food and feed], Regulation (EC) 1831/2003 [on feed additives], Regulation (EC) 2065/2003 [on smoke flavourings], Regulation (EC) 1935/2004 [on food contact materials], Regulation (EC) 1331/2008 [on the common authorisation procedure for food additives, food enzymes and food flavourings], Regulation (EC) 1107/2009 [on plant protection products] and Regulation (EU) 2015/2283 [on novel foods] (Regulation) – AYUSO report – 2018/0088 (COD)

The Commission took note of SP(2019) 347, further to note SI(2019) 164, which it had already approved on 20 February 2019.

(10 April 2019)

- European Labour Authority (Regulation) – LENAERS report – 2018/0064 (COD)

The Commission took note of SP(2019) 348, further to note SI(2019) 206/2, which it had already approved on 27 February 2019.

- Transparent and predictable working conditions in the European Union (Directive) – CALVET CHAMBON report – 2017/0355 (COD)

The Commission took note of SP(2019) 349, further to note SI(2019) 155/2, which it had already approved on 20 February 2019.

- European business statistics, amendment of Regulation (EC) 184/2005 and repeal of ten legal acts in the field of business statistics (Regulation) – LEWANDOWSKI report – 2017/0048 (COD)

The Commission took note of SP(2019) 350, further to note SI(2019) 302, which it had already approved on 20 March 2019.

- Establishment of a common framework for European statistics relating to persons and households, based on data at individual level collected from samples (Regulation) – MESZERICS report – 2016/0264 (COD)

The Commission took note of SP(2019) 351, further to note SI(2019) 336, which it had already approved on 3 April 2019.

- Marketing and use of explosives precursors, amendment of Annex XVII to Regulation (EC) 1907/2006 and repeal of Regulation (EU) 98/2013 on the marketing and use of explosives precursors (Regulation) – MAMIKINS report – 2018/0103 (COD)

The Commission took note of SP(2019) 352, further to note SI(2019) 135, which it had already approved on 12 February 2019.

Ordinary legislative procedure – First reading and special legislative procedure

(10 April 2019)

- Action of the Union following its accession to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (Regulation) – ROZIÈRE report – 2018/0189 (COD) / Accession of the European Union to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (Council Decision) – ROZIÈRE report – 2018/0214 (NLE)

The Commission took note of SP(2019) 353, further to note SI(2019) 292, which it had already approved on 20 March 2019.

iii) Results of Parliament's April I 2019 part-session

(point 3.2 of the IRG record)

Ordinary legislative procedure – First reading

- Preparation for the United Kingdom's withdrawal from the Union – Amendment of Council Regulation (EC) 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement, as regards the withdrawal of the United Kingdom from the Union (Regulation) – STANISHEV report – 2018/0390 (COD)

The Commission took note of SP(2019) 319.

iv) Council dossier

(point 3.3 of the IRG record)

- Own Resources and Financial Transaction Tax

The Commission approved the line set out in SI(2019) 357.

4.3. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

v) Programming of Council business

(SI(2019) 356)

The Commission took note of the information in SI(2019) 356 on the Council meetings between 11 and 24 April 2019.

vi) Non-legislative dossiers

(point 4.1 of the IRG record)

- Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) – ‘Note verbale’ from the European Union relating to the late reservation submitted on 22 March 2019 regarding nine species

The Commission approved the line set out in SI(2019) 349.

- Non-paper on a 5-point European Union Integrated Action Plan for Peace in Afghanistan

The Commission took note of the information in SI(2019) 351 and of the transmission of the non-paper to the Member States.

- Conclusion, on behalf of the European Union, of the Air Transport Agreement between the European Community and its Member States, on the one hand, and Canada, on the other hand (Decision of the Council and the representatives of the Member States of the European Union) – 2009/0018 (NLE)

The Commission approved the line set out in SI(2019) 352.

4.4. RELATIONS WITH PARLIAMENT

vii) Action to be taken on Parliament’s legislative resolutions and other resolutions of a legal nature

(SP(2019) 330)

The Commission decided to empower the Members of the Commission responsible for the sectors in question, in agreement with the PRESIDENT and Mr TIMMERMANS and, if necessary, with the other Members concerned, to adopt the amended proposals for transmission to Parliament and the Council, as set out in SP(2019) 330, drawn up following the part-session of Parliament of 3 and 4 April 2019, the contents of which were noted.

viii) Action taken on the non-legislative resolutions adopted by Parliament at its January I 2019 part-session

(point 5.6.3 of the IRG record)

The Commission approved document SP(2019) 355/2 on the action taken on the non-legislative resolutions adopted by Parliament at its January I 2019 part-session, for transmission to Parliament.

ix) Results of Parliament's April I 2019 part-session

(point 5.8.1 of the IRG record)

The Commission took note of the information on the proceedings of the part-session of Parliament held in Brussels on 3 and 4 April 2019, as set out in SP(2019) 297.

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

x) Follow-up to opinions of the Committee of the Regions – Plenary session of December 2018

(point 6.4.1 of the IRG record)

The Commission approved document SR(2019) 9/2 on the action taken by the Commission on the opinions adopted by the Committee of the Regions at its session of December 2018, for transmission to the Committee of the Regions.

4.6. OTHER BUSINESS

- xi) Revised statement for the Energy Charter Treaty (ECT) concerning how the European Union will determine the respondent in investor-to-state dispute settlement (ISDS) cases initiated under the ECT**
(point 7.2 of the IRG record)

The Commission approved the line set out in SI(2019) 355/2.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED **(SEC(2019) 168 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 1 and 5 April 2019.

5.2. EMPOWERMENT **(SEC(2019) 169 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 1 and 5 April 2019.

5.3. DELEGATION / SUBDELEGATION OF POWERS **(SEC(2019) 170 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 1 and 5 April 2019, as archived in Decide.

5.4. SENSITIVE WRITTEN PROCEDURES**(SEC(2019) 171 AND /2)**

The Commission took note of the sensitive written procedures for which the time limit expired between 8 and 12 April 2019 and of the finalisation written procedures initiated following the weekly meetings of Chefs de cabinet on Monday 1 April and Tuesday 9 April 2019.

5.5. GENERAL EMPOWERMENT RELATING TO THE IMPLEMENTATION OF MEASURES TO SAFEGUARD THE SECURITY OF GAS SUPPLY**(C(2019) 2792)**

The Commission adopted the Decision in C(2019) 2792 and decided, in particular, to empower the Member of the Commission responsible for Energy to adopt, on behalf of the Commission and under its responsibility, the measures referred to in Article 1, subject to the conditions set out in Articles 2 to 6 of the Decision.

5.6. DELEGATION OF POWERS RELATING TO THE ACCEPTANCE OF ACCOUNTS OF CERTAIN CROSS-BORDER COOPERATION PROGRAMMES UNDER THE INSTRUMENT FOR PRE-ACCESSION ASSISTANCE II**(C(2019) 2791)**

The Commission adopted the Decision in C(2019) 2791 and decided, in particular, to grant a delegation to the Director-General of DG Regional and Urban Policy to adopt, on behalf of the Commission and under its responsibility, the measures referred to in Article 1, subject to the conditions set out in Articles 2 to 5 of the Decision.

6. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2019) 172 AND /2)

ADMINISTRATIVE MATTERS
(PERS(2019) 22 AND /2)

At the meeting Mr OETTINGER presented two additional proposals for decisions to be directly submitted for approval by the College.

These were authorisations for the internal publication of two vacancy notices for two director-general posts. He explained that these concerned the post of Director-General of DG Trade, currently held by Mr Jean-Luc DEMARTY, who would be retiring on 1 June 2019, and the post of Director-General of DG Energy, currently held by Mr Dominique RISTORI, who would be retiring on 1 August 2019.

In order to fill these two positions, which would soon fall vacant, and thus ensure the continuity of the service, Mr OETTINGER proposed that the corresponding vacancy notices be published internally (see item 6.1 of these minutes).

**6.1. DG ENERGY / DG TRADE – INTERNAL PUBLICATION OF VACANCY
NOTICES FOR TWO AD15/16 DIRECTOR-GENERAL POSTS**
(PERS(2019) 26; PERS(2019) 27)

On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, and after consulting Mr ARIAS CAÑETE and Ms MALMSTRÖM, respectively, and also Ms MOGHERINI, Mr ŠEFČOVIČ and Mr KATAINEN, the Commission decided to authorise the publication, under Article 29(1)(a)(i) and (iii) of the Staff Regulations, of the vacancy notices in PERS(2019) 26 and PERS(2019) 27 concerning the posts of Director-General of DG Energy and Director-General of DG Trade, respectively.

This decision would take effect immediately.

6.2. DG HUMAN RESOURCES AND SECURITY / DG RESEARCH AND INNOVATION / DG COMMUNICATIONS NETWORKS, CONTENT AND TECHNOLOGY – DEROGATION FROM CERTAIN RULES SET OUT IN COMMISSION DECISION C(2013) 9049 – RECRUITMENT OF A LIMITED NUMBER OF TEMPORARY STAFF TO WORK ON THE ENHANCED EUROPEAN INNOVATION COUNCIL (EIC) PILOT (SEC(2019) 186)

The Commission took note of the information in point 1 of PERS(2019) 22 and, on a proposal from Mr OETTINGER, in agreement with the PRESIDENT and after consulting Ms GABRIEL and Mr MOEDAS, and also Mr ANSIP, Mr DOMBROVSKIS and Mr KATAINEN, decided that, in order to guarantee the effective working of the management capacity of the Enhanced EIC Pilot, it would authorise the Member of the Commission responsible for the Budget and Human Resources to derogate, if necessary, from Article 2 of Commission Decision C(2013) 9049 of 16 December 2013 on policies for the engagement and use of temporary agents, specifically by applying the rules for grading on recruitment set out in SEC(2019) 186.

This authorisation was granted on condition that DG Research and Innovation and DG Communications Networks, Content and Technology ensured that:

- the possibilities for recruitment were properly publicised via a call for applications;
- they designed and implemented the necessary measures to prevent any conflict of interests.

These two DGs would report to the College on the implementation of this Decision after one year.

These decisions would take effect immediately.

**6.3. DG HUMAN RESOURCES AND SECURITY /
SECRETARIAT-GENERAL – EXTENSION OF THE TERM OF OFFICE
OF THE CHAIRMAN AND MEMBERS OF THE INDEPENDENT
ADVISORY EUROPEAN FISCAL BOARD**

The Commission took note of the information in point 2 of PERS(2019) 22 and, on a proposal from Mr OETTINGER, in agreement with the PRESIDENT, decided:

- to extend the term of office of Mr Niels THYGESEN as Chairman of the European Fiscal Board and of Mr Roel BEETSMA, Mr Massimo BORDIGNON, Ms Sandrine DUCHÊNE and Mr Mateusz SZCZUREK as Members of the Board for a period of three years from 19 October 2019, during which period they would have the status of Special Advisor to the Vice-President of the Commission responsible for the Euro and Social Dialogue;
- to authorise the Member of the Commission responsible for Human Resources to amend the contracts of these special advisors in the event of urgent and duly justified needs, subject to the availability of sufficient budgetary resources;
- to authorise the Director-General of DG Human Resources and Security to implement this decision by signing contracts of employment on behalf of the authority empowered to conclude contracts of employment.

These decisions would take effect immediately.

**6.4. DG HUMAN RESOURCES AND SECURITY – APPROVAL OF LISTS
OF CANDIDATES FOR HEAD OF EUROPEAN UNION DELEGATION
POSTS IN CAMBODIA, ICELAND, NEW ZEALAND AND NICARAGUA
AT GRADES AD9/14 – AD12
(PERS(2019) 23)**

(10 April 2019)

The Commission took note of the information in point 3 of PERS(2019) 22 and, on a proposal from Mr OETTINGER, in agreement with the PRESIDENT, decided to approve the lists of candidates for the posts of Head of the European Union Delegations to Cambodia, Iceland, New Zealand and Nicaragua set out in PERS(2019) 23, which would serve as a basis for the competent authority of the European External Action Service to make the final appointments.

This decision would take effect immediately.

6.5. *DG COMMUNICATION/DG HUMAN RESOURCES AND SECURITY – MEASURES CONCERNING THE CLOSURE OF THE EUROPEAN UNION REPRESENTATION IN THE UNITED KINGDOM*

The Commission Representation in the United Kingdom would have to be closed on the date of the United Kingdom's withdrawal from the European Union. However, in view of the current uncertainty as to the date of withdrawal, the Commission was not in a position to take a decision on the exact date of the closure of the Representation and its implementation.

The Commission noted the information in point 4 of PERS(2019) 22 and, on a proposal from Mr OETTINGER, in agreement with the PRESIDENT, decided:

- to authorise Mr OETTINGER to adopt, in agreement with the PRESIDENT, the decision on the closure of the Commission Representation in the United Kingdom, including its regional offices (COMM.DGA1.C.LO), on the date of the United Kingdom's withdrawal from the European Union;
- to authorise Mr OETTINGER to adopt, in agreement with the PRESIDENT, the necessary measures to implement the closure of the Representation, in particular as regards the assignment of the staff members concerned and the conditions of employment and working

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arrangements to apply during the transition phase from the date of withdrawal until the end of August 2019;

- to authorise Mr OETTINGER to derogate temporarily, in agreement with the PRESIDENT, from the individual provisions of Commission Decision C(2008) 3983 of 31 July 2008 on establishing Rules on the rotation of officials in Representations, and from the Framework Rules laying down the conditions of employment of local Commission staff serving in Offices and Delegations of the European Union (C(2002) 3558 of 30 September 2002) insofar as such a temporary derogation was necessary to ensure the smooth implementation of the transition phase;
- to authorise Mr OETTINGER, in agreement with the PRESIDENT, to extend the term of office of the Deputy Head (currently acting Head) of the Representation beyond 12 April 2019 in the event of an extension of the deadline following the notification under Article 50 of the Treaty on European Union.

These decisions would take effect immediately.

**6.6. DG HUMAN RESOURCES AND SECURITY – APPROVAL OF LIST OF CANDIDATES FOR THE POST OF HEAD OF THE EUROPEAN UNION DELEGATION IN THE UNITED KINGDOM (AT GRADE AD15/16 - AD15)
(PERS(2019) 24)**

The Commission took note of the information in point 5 of PERS(2019) 22 and, on a proposal from Mr OETTINGER, in agreement with the PRESIDENT, decided to approve the list of candidates for the post of Head of the European Union Delegation in the United Kingdom in PERS(2019) 24, which would serve as a basis for the competent authority of the European External Action Service to make the final appointment.

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No decision to appoint a Head of Delegation in the United Kingdom would be taken before the establishment of the European Union Delegation in the United Kingdom.

This decision would take effect immediately.

6.7. DG HUMAN RESOURCES AND SECURITY – APPROVAL OF LIST OF CANDIDATES FOR THE POST OF DEPUTY HEAD OF THE EUROPEAN UNION DELEGATION IN THE UNITED KINGDOM (AD9/14 - AD12) (PERS(2019) 25)

The Commission took note of the information in point 6 of PERS(2019) 22 and, on a proposal from Mr OETTINGER, in agreement with the PRESIDENT, decided to approve the list of candidates for the post of Deputy Head of the European Union Delegation in the United Kingdom in PERS(2019) 25, which would serve as a basis for the competent authority of the European External Action Service to make the final appointment.

No decision to appoint a Deputy Head of Delegation in the United Kingdom would be taken before the establishment of the European Union Delegation in the United Kingdom.

This decision would take effect immediately.

7. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL, THE COUNCIL, THE EUROPEAN CENTRAL BANK, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE, THE COMMITTEE OF THE REGIONS AND THE EUROPEAN INVESTMENT BANK – ADDRESSING THE IMPACT OF A WITHDRAWAL OF THE UNITED KINGDOM FROM THE UNION WITHOUT AN AGREEMENT – THE UNION’S COORDINATED APPROACH

(COM(2019) 195 TO /3; RCC(2019) 47)

At the PRESIDENT’s invitation, Mr BARNIER briefed the Members of the Commission on the latest developments in the process of the United Kingdom’s withdrawal from the Union under Article 50 of the Treaty on European Union, a few hours before the extraordinary meeting of the European Council (Article 50) during which EU leaders would decide on the request made by the British Prime Minister, Theresa May, in a letter to the President of the European Council, Donald TUSK, on 5 April 2019, to grant the United Kingdom an extension until 30 June 2019 of the two-year period following the notification of its intention to withdraw from the Union under Article 50 of the Treaty on European Union.

In addition, at the PRESIDENT’s request, the Secretary-General, Mr SELMAYR, gave a very brief presentation of the communication submitted to the Commission for approval that day, entitled ‘Addressing the impact of a withdrawal of the United Kingdom from the Union without an agreement – the Union’s coordinated approach’. He pointed out that it was the Commission’s fourth communication since the one of 19 July 2018 on the preparation of the Union for a possible disorderly British withdrawal. This fourth communication provided practical guidance for the Member States, focusing on five areas where preparedness was particularly important, namely (i) citizens’ residence and social security entitlements, (ii) police and judicial cooperation in criminal matters, (iii) medical products and medical devices, (iv) data protection and (v) fishing activities. He noted that although the European Union did not want a no-deal Brexit, it was nevertheless preparing for it

in a methodical way.

Mr BARNIER took the opportunity to commend the excellent work done by the Secretariat-General and the Commission departments, thanks to which the Union was prepared for the eventuality of a disorderly withdrawal of the United Kingdom from the European Union.

The Commission approved the communication in COM(2019) 195/3 for transmission to Parliament, the European Council, the Council, the European Central Bank, the European Economic and Social Committee, the Committee of the Regions, the European Investment Bank and, for information, to the national parliaments.

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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 11.42