

The most important legislative acts settled during the Czech Presidency

(Version 1, as of 31 May 2009)

FINANCIAL ISSUES

■ **Recovery Plan – Package of EUR 5 billion**

- **Project in the energy sector** (see section Energy)
- **Projects supporting high-speed Internet access and new challenges of the Common Agricultural Policy** (see section Agriculture)

■ **Decision to grant a Community guarantee to the European Investment Bank against losses under loans and loan guarantees for projects outside the Community¹**

The decision deals with the renewal of the Community budget guarantee to the European Investment Bank (EIB) against losses under loans in third countries.

■ **Directive that amends Directive 116/2006 in terms of reduced VAT rates²**

The directive focuses on certain labour-intensive local services that can be currently taxed at reduced VAT rates under individual exemptions and interim provisions that will expire by the end of 2010. The adopted draft allows all the Member States to use reduced rates for these services at their own discretion without the existing restrictions; the services include, but are not limited to, housing (residential development and refurbishments) and restaurant services.

■ **Amended Directive on solvency requirements for insurers and reinsurers (Solvency II)³**

The existing solvency rules for insurers were found inadequate and out of touch with the latest trends in the insurance industry; therefore, the solvency regime was amended. As a part of the amendment, 13 directives on life and non-life insurance and reinsurance were incorporated into a single legislative act. The Solvency II Directive aims to deepen the integration of the EU (re)insurance market, enhance protection of policyholders and beneficiaries, to improve the international competitiveness of EU insurers and reinsurers, and to promote better regulation.

■ **Regulation on Credit Rating Agencies⁴**

The Regulation on Credit Rating Agencies introduces rules for the registration of and supervision over agencies that issue credit ratings and sets forth the conditions for their activities in the EU. The regulation should contribute to improve the quality and objectivity of the ratings relied on by investors when making decisions.

¹ Adopted by the European Parliament (EP): 25.3.2009; formal adoption by the EU Council expected: in June 2009 or during the Swedish Presidency.

² Adopted by the Council: 5.5.2009.

³ Adopted by the EP: 22.4.2009; formal adoption by the Council expected: during the Swedish Presidency.

⁴ Adopted by the EP: 23.4.2009; formal adoption by the Council expected: during the Swedish Presidency.

- **Regulation on cross-border payments in euro⁵**

The regulation guarantees that when a consumer makes a cross-border payment in euros, the cost is the same as that of a corresponding payment in euros made within his own Member State. The Regulation constitutes an important milestone in the implementation of the Single Euro Payment Area (SEPA) within the EU.

- **Revision of the Directive on electronic money institutions (e-money)⁶**

The revised directive aims to unify the definition of electronic money in the EU and to support the e-money market.

- **Regulation establishing a Community programme to support specific activities in the field of financial services, financial reporting and auditing⁷**

The regulation affects financial market supervisor as well as independent institutions setting up accounting standards. To preserve the independence of these institutions and to procure adequate funds for some strategic projects, the Commission proposes a mechanism for co-financing.

- **Revision of the Capital Requirements Directive (CRD)⁸**

Within the revision of the Capital Requirements Directive, a change to the rules of supervising credit institutions was discussed. The main changes should include the establishment of Colleges of Supervisors to cooperate in supervising cross-border credit institution groups and institutions that make business in other Member States via branch offices. The colleges should serve as a platform for sharing information and reaching agreements on key home/host supervision issues. The revision further aims to avert substantial risks related to large exposure (i.e., limits for receivables from a single client or an economically interconnected group of clients).

- **Council Regulation amending Regulation 332/2002 that introduces a system of medium-term financial aid for the Member States' balances of payments⁹**

The regulation follows up on the decision of the Spring EU Council to raise the ceiling for lending from the EU facility to support non euro-area Member States that face difficulties with their balances of payments from EUR 25 billion to EUR 50 billion. The draft further includes some procedural clarifications incorporated by the European Commission on the basis of experience with providing support to Hungary and Latvia. This technical amendment addresses, among other issues, the following: formal introduction of the Memorandum of Understanding that stipulates clear conditions for the assistance programme, formal engagement of the Economic and Financial Committee in the process of providing assistance, and establishment of

⁵ Adopted by the EP: 24.4.2009; formal adoption by the Council expected: during the Swedish Presidency.

⁶ Adopted by the EP: 24.4.2009; formal adoption by the Council expected: during the Swedish Presidency.

⁷ Adopted by the EP: 6.5.2009; formal adoption by the Council expected: during the Swedish Presidency.

⁸ Adopted by the EP: 6.5.2009, formal adoption by the Council expected: during the Swedish Presidency.

⁹ Political agreement in the Council: 5.5.2009, formal adoption by the Council expected: during the Swedish Presidency.

stricter lending supervision: technical and financial supervision of the loan may be carried out by the European Court of Auditors and the European Anti-Fraud Office (OLAF).

- **Decision to grant medium-term loan to Romania** from the Community resources in the amount of EUR 5 billion¹⁰

The decision forms a part of the package of assistance provided by the IMF, WB, EIB and EBRD to help Romania address the impacts of the economic and financial crisis; the assistance is provided under the support facility for medium-term assistance to the balances of payments of EU Member States.

COMPETITIVENESS

- **Regulation concerning type-approval requirements for the general safety of motor vehicles¹¹**

According to this regulation, all new vehicles will be required to be equipped with technologies that will enhance road safety, reduce the number of casualties due to traffic accidents and cut down on fuel consumption.

- **Amended Regulation on cosmetic products¹²**

A key aspect of this amended text is that it provides for a balance between manufacturer responsibility and prescriptive regulation of individual, potentially harmful ingredients. Also, crucially, the document includes clear minimum requirements for the cosmetics safety assessment. Moreover, the Regulation contains a set of definitions. It introduces a facilitated system to update a glossary of ingredient names, which contains the names of all relevant cosmetic ingredients. The names used are independent of any national language, making it possible to avoid the need to translate the list of ingredients on the product label.

- **Simplification of the Third and Sixth Company Law Directives¹³**

Simplification of requirements for reporting and documentation in the case of mergers and divisions. Every year companies will be able to save as much as EUR 165 million.

- **Establishment of a European metrology research and development programme¹⁴**

The programme is intended to integrate national programmes of 22 participating States with the aim of enhancing the efficiency and effectiveness of public research in the field of metrology.

¹⁰ Political agreement in the Council: 5.5.2009.

¹¹ Adopted by the EP: 10.3.2009, formal adoption by the Council expected: 11.6.2009.

¹² Adopted by the EP: 22.4.2009, formal adoption by the Council expected: during the Swedish Presidency.

¹³ Adopted by the EP: 22.4.2009, formal adoption by the Council expected: during the Swedish Presidency.

¹⁴ Adopted by the EP: 22.4.2009, formal adoption by the Council expected: during the Swedish Presidency.

■ **Review of a Regulation setting up a Community regime for the control of exports, transfer, brokering and transit of dual use items¹⁵**

The regulation provides for the control of exports of dual-use items, i.e. goods that are intended to be used for civil purposes but could be misused for the production of conventional weapons or weapons of mass destruction. Regulation No. 1334/2000 setting up the current Community regime for the control of exports of dual-use items and technology was adopted in order to take account of the principles of international control regimes and to harmonise the implementation of these export controls in the whole of the EU while respecting the freedom of movement of most of these items within the Community. The Regulation includes a regularly updated list of dual-use items and technology that are subject to control.

■ **Regulation on the Community legal framework for a European Research Infrastructure (ERI)¹⁶**

The legal framework will centre on rules for establishment and operation of research infrastructures of pan-European interest. The proposal will cover only new facilities and not large infrastructures that have already been established. Each ERI consortium (ERIC) will have the status of an international organisation.

ENERGY

■ **Regulation establishing a programme to aid economic recovery by granting Community financial assistance to projects in the field of energy (Recovery Plan)¹⁷**

As agreed, out of the five-billion-euro package allocated under the European Economic Recovery Plan to projects in the field of energy, broadband and new challenges faced by the Common Agricultural Policy, 3.98 billion euros will be invested in gas and electricity infrastructure, offshore wind parks and carbon capture and storage projects. Unspent funds could be used for projects aimed to boost energy efficiency and renewable energy.

■ **Amended Directive on ecodesign¹⁸**

The directive establishing a framework for the setting of ecodesign requirements for energy-using products contains rules providing for requirements concerning the ecodesign of selected products running on electricity. Minimum requirements for the technology of manufacturing and energy consumption fall within the remit of the Commission and are provided for by implementing measures related to the Directive. These product requirements will be subject to

¹⁵ Adopted by the Council: 5.5.2009.

¹⁶ Adopted by the Council: 29.5.2009.

¹⁷ Adopted by the EP: 6.5.2009, formal adoption by the Council expected: in June 2009 or during the Swedish Presidency.

¹⁸ Adopted by the EP: 24.4.2009, formal adoption by the Council expected: during the Swedish Presidency.

regular reviews assessing their temporal relevance. The Commission will reassess the Directive by 2012 with a view to extending its applicability to products unrelated to energy consumption.

■ **Third energy package¹⁹**

The package is part of the effort to complete the liberalisation of the European internal energy market, expected to cut energy prices and offer a better choice to EU consumers.

■ **Directive concerning common rules for the internal market in electricity**

The amended directive includes measures providing for electricity production, transmission, distribution and supplies and measures concerning consumer protection. The aim is to improve and integrate competitive electricity markets within the EU.

■ **Directive concerning common rules for the internal market in natural gas**

The amended directive establishes rules for natural gas transmission, distribution, supplies and storage and also for the organisation and functioning of not only the natural gas sector, but also the sectors for biogas, liquefied natural gas (LNG) and other types of gas produced from biomass.

Both directives address the issue of unbundling (separation of operators) and give vertically integrated undertakings the choice either to implement full ownership separation or to opt for one of two alternative models of organisational separation. They also contain rules concerning the energy security of the EU energy sector with respect to the overwhelming interest of non-European operators to purchase energy networks – under certain conditions, Member States will be able to reject these offers, in particular where a company does not meet the requirement of ownership separation or where there is a potential threat to the energy security of one of the EU Member States.

■ **Regulation establishing an Agency for the Cooperation of Energy Regulators**

The regulation establishes the agency the main task of which is to monitor cross-border cooperation in natural gas and electricity transmission between Member States. This independent agency is expected to fill a gap in regulation at Community level and to contribute to a well- functioning internal electricity and gas market.

■ **Regulation on conditions for access to the network for cross-border exchanges in electricity**

The objective of the regulation is above all to lay down rules necessary for cross-border trade in electricity and to facilitate the emergence of a well-functioning and transparent wholesale market with a high level of security of electricity supplies.

■ **Regulation on conditions for access to the natural gas transmission networks**

The aim of the regulation is mainly to set out non-discriminatory rules for access to gas transmission networks, storage facilities and LNG facilities and also to facilitate the

¹⁹ Adopted by the EP: 22.4.2009, formal adoption by the Council expected: 25.6.2009.

emergence of a well-functioning and transparent wholesale market with a high level of security of natural gas.

TRANSPORT

■ **Air Transport Package²⁰**

■ **Revision of regulation that creates the concept of a Single European Sky**

The objective of this regulation is to increase the effectiveness and sustainability of the European Aviation System. This is the second package consisting of legal regulations on the Single European Sky (SES II) that consolidate the existing regulations on SES and add a general framework that supports the effectiveness and sustainability of the European Aviation System. This framework will serve to enhance a network approach; it introduces effectiveness in the context of protection of the environment as a new area.

■ **Regulation broadening the competence and activity of the European Aviation Safety Agency to include the area of air space and airports**

Amendment to directive 216/2008 that proposes the broadening of competence to the area of ATM/ANS and airports and includes measures aiming at the improvement of the regulatory system for aviation safety in Europe. It is based primarily on the introduction of an obligatory system of certification to all ATM/ANS systems and to all airports open to public with traffic conducted in accordance with the instrument flight rules or aircraft with a maximum take-off mass of 2730 kg

■ **Road Transport Package²¹**

■ **Regulation on access to the international road haulage market**

This regulation aims to increase the transparency and enforceability of the existing rules. The proposed measures should contribute towards a more effective use of the single market for cabotage by reinforcing legal certainty, cutting administrative cost and allowing fairer competition. By means of the new regulation, common rules relating to the obligatory conditions for the occupation of operator of road haulage services are introduced as well as a simplification and clarification of the rules, which should enable easier implementation and supervision. The most important item of the regulation is the definition of cabotage.

■ **Regulation on coach and bus market-access conditions**

This regulation is designed to improve, simplify, update and modernise the existing regulation in the area of access to the market of international coach and bus transport at Community level.

²⁰ Adopted by EP: 25.3.2009, formal adoption by the Council expected: during June 2009.

²¹ Adopted by EP: 23.4.2009, formal adoption by the Council expected: during June or July 2009.

■ **Regulation on admission to the occupation of road haulage operator**

The current amended directive has brought problems because individual Member States interpret the rules in different ways and reach a disunited view on fulfilment of the set conditions, which could result in negative economic impacts. Therefore, the objective is to create directly binding, uniform and equally applicable rules for admission to the occupation of road haulage operator.

■ **Marco Polo II Programme²²**

The legal basis for the implementation of the Marco Polo II Programme is regulation No. 1692/2006 from 24 October 2006 that establishes the second Marco Polo Programme for the granting of Community financial assistance to improve the environmental performance of the freight transport system and repeals regulation No. 1382/2003 that established the first Marco Polo programme. The changes adopted by regulation No. 1962/2006 aim toward greater use and attractiveness of the programme for applicants and the transformation of road transport into other types of transport (naval and inland waterways, rail transport). Specific measures should lead toward increased use of the programme by small and medium-sized businesses, particularly by companies operating on inland waterways, to a decrease of the minimal limits for individual project categories, an increase of financial assistance and simplification of the administrative process of the programme.

■ **Revision of the Directive on common rules for allotment of slots at airports²³**

The global financial and economic crisis caused and continues to cause a significant drop in air transport. Therefore, it is necessary to ensure that the non-utilisation of slots resulting from the economic crisis (the use-it-or-lose-it-rule) does not cause air carriers to lose their entitlement to those slots. This can be achieved by the adoption of a regulation that will amend the regulation on allotment of slots No. 95/93.

TELECOMMUNICATIONS

■ **Regulation on Community statistics on the information society²⁴**

This regulation will contribute toward the monitoring of the Community policy that aims to create an information society accessible to all that is established on widespread use of information and communication technologies in public services, in small and medium-sized businesses and households. The regulation aims to ensure the continuation of the existing common framework for systematic elaboration of harmonised, reliable, high-quality and up-to-

²² Adopted by EP: 23.4.2009, formal adoption by the Council expected: during June or July 2009

²³ Adopted by EP: 7.5.2009, formal adoption by the Council expected: during June 2009.

²⁴ Adopted by EP: 2.4.2009, formal adoption by the Council expected: during June 2009.

date Community statistics on the information society and update regulations in accordance with the needs of this rapidly developing area.

■ **Revision of the roaming regulation²⁵**

This amendment introduces lower rates for short text messages from/to EU Member States and for data roaming services and it extends price ceilings for voice roaming services until 2012.

■ **European public administrations ISA: interoperability solutions²⁶**

The aim is to establish a programme for the years 2010 – 2015 for European public administrations, including the bodies and authorities of the Community, interoperability solutions and support their cooperation by facilitating efficient and purposeful electronic interaction between these bodies in different countries and areas, which will enable the providing of public electronic services to support execution of the policies and activities of the Community. This programme will include studies, projects and accompanying measures that will ensure creation and further development of common frameworks, common services and re-usable general instruments. Among the activities of the programme, carried out via studies, will be opinions on the impact of proposed or adopted Community legal acts from the perspective of information and communication technologies and vice versa. A committee composed of representatives of the Member States will aid the Commission in the implementation of the programme.

■ **Telecoms package** – partially adopted²⁷

■ **Establishment of the Body of European Regulators for Electronic Communications (BEREC)**

The main reason for the establishment of a common body is the need to support the single telecommunications market. According to the Commission, inconsistent regulatory approaches, differences in competences, various degrees of independence and lack of financial and human resources prevent its development.

■ **Revision of the electronic communications regulatory framework – “Better Regulation Directive”**

This revision brings a change of the regulatory framework for electronic communication networks and services from 2002 that is based on three pillars: better regulation (i.e. more efficient regulation), completion of the internal electronic communications market and greater involvement of citizens, including better protection. The amendment reinforces the competence of the Commission during regulation (economic and technical) of the electronic communications market.

²⁵ Adopted by EP: 22.4.2009, formal adoption by the Council expected: 8.6.2009.

²⁶ Adopted by EP: 22.4.2009, formal adoption by the Council expected: during June 2009.

²⁷ Partially adopted by EP: 6.5.2009, the Council will assess: during June 2009.

- **Revision of the electronic communications regulatory framework – “Consumer Protection Directive”**

A new regulatory framework should secure a high level of protection of consumers and users including the right to privacy and data protection in the area of electronic communications. In addition to many advantages for the consumers, it should also contribute towards increased quality of services and strengthen the security of networks.

- **Revision of the GSM directive²⁸**

This directive will allow for the use of the GSM spectrum also for high-speed Internet, and thus it will eliminate unnecessary legislation and enable the development of the most modern information and communication technologies.

ENVIRONMENT

- **Regulation on substances that deplete the ozone layer²⁹**

The revision of the regulation provides for the phase out of substances that deplete the ozone layer by clarifying conditions to stop the use of such substances, simplifying legislation and reducing the administrative burden. The production and use of hydro chlorofluorocarbons (HCFCs) will be gradually decreased in a substantial manner and a total ban will come into effect based on an agreement between the EP and the EU Council from 2020.

- **Directive concerning the placing of biocidal products on the market as regards the extension of certain time limits³⁰**

Biocidal products are products containing one or more active substances intended to destroy, deter, render harmless, prevent the action of, or otherwise exert a controlling effect on any harmful organism by chemical or biological means. The aim of the revision of the directive is to extend the transitional period until 2014, during which the biocidal products market will continue to be regulated by national legislation, thus preventing the withdrawal of certain products from the market.

- **Regulation on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS)³¹**

The revision of the regulation should lead to the increase of the number of organisations using the EMAS scheme while recognising the EMAS scheme as the highest standard for environmental management systems. The measures should have positive effects on the

²⁸ Adopted by EP: 6.5.2009, formal adoption by the Council expected: during the Swedish Presidency.

²⁹ Adopted by the EP 24.3.2009, formal adoption by the Council expected: during the Swedish Presidency.

³⁰ Adopted by the EP 24.3.2009, formal adoption by the Council expected: during the Swedish Presidency.

³¹ Adopted by the EP 2.4.2009, formal adoption by the Council expected: during the Swedish Presidency.

environment, increase economic effects (saving energy and raw materials costs, disposal of waste, charges etc) and promote competitiveness.

■ **Regulation on a Community Ecolabel scheme³²**

The current eco-label award scheme was evaluated as unsatisfactory, since the Ecolabel is not sufficiently known and, due to excessive red-tape, businesses use it only to a limited degree. The revision of the Community Ecolabel scheme aims at increasing the awareness, widening the choice of ecolabelled products for consumers (10% of the groups of ecolabelled products on the market), harmonising the Ecolabel with other global and national labels and making the Ecolabel accessible for a reasonable price.

■ **Regulation concerning trade in seal products³³**

The regulation introduces a ban on the placing on the Community market of seal products (e.g. skins), in order to protect seal populations from all cruel hunting methods with the view of protecting global biodiversity. The placing on the market of seal products will be allowed only in case of goods imported for personal and family purposes and where the seal products result from hunting traditionally conducted by indigenous communities. The placing on the market will also be allowed for seal products that result from by-products of hunting. Such placing on the market will only be allowed on a non-profit basis.

■ **Directive on Stage II petrol vapour recovery during refuelling of passenger cars at service stations³⁴**

The Czech Presidency reached a compromise according to which EU Member States should ensure that, within several years, all service stations are equipped with devices that will recover petrol vapours from the tank when the car, van or motorcycle is refuelled. The vapour recovery systems will thus increase air protection, improve human health and bring about fuel savings. Vapour recovery benefits the protection of the environment not only in the area where the service station is located, but also the overall quality of air of EU Member States.

EMPLOYMENT AND SOCIAL POLICY

■ **Social security package³⁵**

■ **Regulation on the coordination of social security of migrating persons**

■ **Implementing regulation on the coordination of social security of migrating persons**

The new legislation streamlines and simplifies existing rules for securing social claims of EU

³² Adopted by the EP 2.4.2009, formal adoption by the Council expected: during the Swedish Presidency.

³³ Adopted by the EP 5.5.2009, formal adoption by the Council expected: during the Swedish Presidency.

³⁴ Adopted by the EP 5.5.2009, formal adoption by the Council expected: during the Swedish Presidency

³⁵ Adopted by the EP 22.4.2009, formal adoption by the Council expected: during the Swedish Presidency.

citizens living and working in another Member State, taking into account the judgments of the European Court of Justice. The new adjustment will speed up the treatment of applications submitted by persons living abroad, remove certain barriers and modernise the exchange of information between authorities in EU-27.

■ **Revision of the Regulation on establishing the European Globalisation Adjustment Fund (EGF)³⁶**

The aim is to enable the EGF to provide more effective support to employees who have become redundant due to globalisation, extend the framework for using the fund to those who have been laid off due to the financial and economic crisis, thus fulfilling better the EGF solidarity mission. Member States will become eligible to receive money from the fund in case of 500 employees having been made redundant (in a given MS within four months; within nine months in case of SMEs), as opposed to the threshold of 1,000 employees considered so far. The amount of EU co-financing will be increased from the current 50% to 65%. The money should be used for retraining, counselling etc. in the framework of two years, as opposed to the current limit of one year.

AGRICULTURE

■ **Revision of the Regulation on support for rural development by the European Agricultural Fund for Rural Development (Recovery Plan – projects supporting broadband Internet and new challenges faced by the Common Agricultural Policy)³⁷**

As agreed, out of the five-billion-euro package allocated under the European Economic Recovery Plan to projects in the field of energy, broadband and new challenges faced by the Common Agricultural Policy, 1.020 billion euros will be invested to support broadband for rural areas and measures related to new challenges in agriculture. Member States can also temporarily increase the rate of co-financing.

■ **Regulation concerning the general rules on the definition, description and presentation of aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails³⁸**

Given the economic importance of the market of aromatised drinks for Community agriculture and the scope of legal regulation, it is necessary to lay down common provisions on this subject.

³⁶ Adopted by the EP 6.5.2009, formal adoption by the Council expected: in mid-June 2009.

³⁷ Adopted by the EP 6.5.2009, formal adoption by the Council: 25.5.2009.

³⁸ Adopted by the EP: 19.2.2009, formal adoption by the Council expected: 22-23.6.2009.

■ **Regulation on the conclusion of the Agreement between the European Community and the Government of the Russian Federation on cooperation in fisheries and the conservation of the living marine resources in the Baltic Sea³⁹**

The objective of the new agreement is to ensure close cooperation between the parties on the basis of the principles of fairness and mutual benefit with a view to the conservation and the sustainable exploitation and management of all straddling, associated and dependent stocks in the Baltic Sea.

The agreement sets out provisions on joint management measures, licensing, compliance with conservation and management rules and other fisheries regulations, control and enforcement cooperation, inspections, arrest and detention of vessels and scientific cooperation.

■ **Regulation establishing a multiannual recovery plan for bluefin tuna in the Eastern Atlantic and Mediterranean⁴⁰**

This regulation is a response to the scientists' concerns regarding the critical condition of the tuna stock on account of overfishing. In general, the plan provides for a steady reduction in the catch quota, an increase in the minimum size of the catches, fishing with longline vessels and purse seine vessels, and it reinforces control measures with the aim to combat illegal fishing.

■ **Inclusion of the reform of the wine sector into the Regulation on common organisation of agricultural markets⁴¹**

Repeals regulation No. 479/2008 on common organisation of the market in wine and integration of its content into a single regulation on common organisation of markets, whereby one of the steps of the process of simplification of the Common Agricultural Policy, that spans over several years, is completed.

■ **Regulation on animal by-products not intended for human consumption⁴²**

The objective of the regulation is to maintain a high level of safety along the whole production and distribution chain, from "farm to fork". The regulation deals with all forms of animal and farm materials not designed to enter the human food chain. It divides the different by-products into three different categories based on the level of risk; assigns acceptable uses for the by-products in each category; sets rules for the effective and safe transfer, processing and disposal of the by-products in approved or registered plants; and sets up a system of monitoring and regulation (by Member State competent authorities and the Commission) of the whole process.

³⁹ Adopted by the Council: 23.3.2009.

⁴⁰ Adopted by the Council: 6.4.2009.

⁴¹ Adopted by the Council: 25.5.2009.

⁴² Adopted by the EP 22.4.2009, formal adoption by the Council expected: during the Swedish Presidency.

- **Directive on machinery for pesticide application⁴³**

The directive amends requirements for machinery for pesticide application with the aim to reduce the adverse impacts of pesticides on human health and on the environment as a result of use of such machinery.

- **Regulation concerning statistics on pesticides⁴⁴** – partially adopted

The objective of the regulation is to establish a framework for the production of Community statistics on the placing on the market and use of plant protection products (pesticides). Collecting data on sales and use of plant protection products is one of the measures of the strategy of sustainable use of pesticides.

CULTURE AND THE AUDIOVISUAL SECTOR

- **Decision establishing the MEDIA Mundus programme⁴⁵**

This new type of programme to support cooperation between professionals in the audiovisual sector will exist in parallel with the MEDIA 2007 programme. It will also include third countries, i.e. not only EU Member States. The proposal for a decision is a result of the preparatory work carried out by the Media International project.

JUSTICE AND INTERNAL AFFAIRS

- **Regulation on standards for security features and biometrics in passports and travel documents issued by Member States⁴⁶**

On 13 December 2004 Regulation No. 2252/2004 on standards for security features and biometrics in passports and travel documents issued by Member States was adopted. The regulation requires all EU Member States and the associated Schengen countries (Norway and Iceland) to introduce passports and travel documents with a chip containing biometric information – biometric facial image (before 28 August 2006) and fingerprints (before 28 June 2009). The new regulation amends the above regulation in two respects. Firstly, it introduces the principle “one person, one passport” which abolishes the possibility of including children on the travel documents of their parents. It also contains exceptions to the previously general obligation to provide fingerprints for children and persons where fingerprinting is physically impossible.

⁴³ Adopted by EP: 22.4.2009, formal adoption by the Council expected: 22-23.6.2009.

⁴⁴ Partially adopted by the EP 22.4.2009, the Council will discuss the proposal during June 2009.

⁴⁵ Adopted by the EP: 7.5.2009, formal adoption by the Council expected: during the Swedish Presidency.

⁴⁶ Adopted by the EP: 14.1.2009, formal adoption by the Council: 27.4.2009.

■ **Directive on sanctions against employers of illegally staying third-country nationals⁴⁷**

The aim of the directive is to provide for common standards on sanctions and measures against employers of citizens from third countries illegally staying on the territory of the Member States and to ensure that these measures are enforced effectively. The directive envisages the introduction of criminal sanctions for employers of illegally staying third-country nationals and requires Member States to undertake a certain number of inspections in high-risk sectors.

■ **Common Consular Instructions⁴⁸**

The overall aim is to extend the range of consular offices in large countries, improve the process of processing applications in countries with a large number of consular offices, and save financial means, particularly expenses for technical equipment to collect biometric identifiers. The Member States also seek to abolish the need for an applicant to make two personal appearances at a consular office (the first one to submit the application and other documents, and the second to give the biometric identifiers).

■ **Community code on visas⁴⁹**

Creating a common space without internal borders demands the introduction of common conditions for entry into the EU, particularly regarding short-term visas. The existing visa system is incoherent and a number of rules overlap. The Community code on visas consolidates and clarifies the whole system. It replaces the Common Consular Instructions and makes it possible to guarantee equal treatment of visa applicants through increased transparency, introduction of simpler rules, harmonisation of procedures, better legal protection and procedural guarantees. The Code will be binding on all Schengen member states .

■ **New legal base for the European Police Office (Europol)⁵⁰**

The Decision establishing the European Police Office gives Europol a new legal base and turns it into an EU agency financed by the EU budget. At the same time, the mandate of Europol is extended to serious criminality not related to organised crime, with a view to facilitating the support provided by Europol to the Member States in cross-border criminal investigations. The role of the European Parliament in the control of Europol will also increase, and democratic supervision of Europol at European level will thus be enhanced. The decision will enter into force on 1 January 2010.

■ **Regulation on bilateral agreements between Member States and third countries concerning sectoral matters and covering applicable law in contractual and non-contractual obligations⁵¹**

⁴⁷ Adopted by the EP: 19.2.2009, adopted by the Council: 25.5.2009.

⁴⁸ Adopted by the EP: 25.3.2009, adopted by the Council: 5.3.2009.

⁴⁹ Adopted by the EP: 2.4.2009, formal adoption by the Council expected: 25.6.2009.

⁵⁰ Adopted by the Council: 6.4.2009.

⁵¹ Adopted by the EP: 7.5.2009, formal adoption by the Council expected: 5.6.2009.

This regulation introduces a procedure for negotiating and concluding bilateral agreements between Member States and third countries concerning jurisdiction, recognition and enforcement of judgments and decisions in matrimonial matters, parental responsibility and maintenance obligations.

■ **Revision of the directive on ship-source pollution and on the introduction of penalties for infringements⁵²**

The aim of the revision is to ensure a more effective protection of the sea from pollution by instituting criminal sanctions for illegal discharge of pollutants from ships into the marine environment.

■ **Framework decision of the Council on prevention and settlement of conflicts of jurisdiction in criminal proceedings⁵³**

The aim is to prevent parallel criminal proceedings in several Member States against the same defendant for the same facts and thereby to pave the way for more consistent respect of the principle “ne bis in idem”.

⁵² Adopted by the EP: 5.5.2009, formal adoption by the Council expected during June 2009.

⁵³ Political agreement in the Council: 5.4.2009.