

# JURI REPORT



June 2013

Issue No 6

## Important dates

June 19-20 – JURI meeting

July 8-9 – JURI meeting

July 9 – [Workshop on Legal aspects of free and open source software](#)

July 10 – [Workshop on "The proposal for a Common European Sales Law: the way forward" with the participation of national Parliaments](#)

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## Credits and acknowledgements

European Parliament

Committee on Legal Affairs

Head of Unit: Robert Bray

Responsible Administrator:  
Alexander Keys

## At this meeting

This June 2013 meeting of the Committee on Legal Affairs will commence with a joint committee meeting with the Committee on Women's Rights and Gender Equality and national Parliaments, from 10.00 to 12.30 on 19 June. This joint meeting will allow the two responsible committees in the European Parliament to hold an exchange of views with interested members of national Parliaments on the high-profile Commission proposal to establish measures to increase the number of female non-executive directors in certain companies. The co-rapporteurs, Evelyn Regner and Rodi Kratsa, will be interested in hearing the views of Member States on this innovative proposal.

In the afternoon of 19 June, from 16.00 to 17.00, Commissioner Maroš Šef ovi will attend the committee meeting in order to take part in the annual structured dialogue meeting with the committee. Topics for discussion may include horizontal issues such as better law-making, but could also concern the ongoing negotiations on the Staff Regulations.

After 17.00, rapporteur Cecilia Wikström will lead an exchange of views on the new trade mark package, which has elicited considerable public interest.

On 20 June, at 9.00, the committee meeting will commence with the consideration of the amendments tabled to Marielle Gallo's report on the ground-breaking proposal on collective rights management and multi-territorial licensing.

The ensuing votes will then include decisions on Alexandra Thein's reports on the mutual recognition of the property consequences of marriage and registered partnerships and on the issue of additional judges at the General Court of the European Union, as well as the adoption of a considerable number of opinions.

Following the votes, Raffaele Baldassarre will lead an exchange of views on the disclosure of non-financial and diversity information by certain large companies and groups. This is a further major initiative for increased corporate transparency.

The European Commission will then present its new proposal on the simplification of the acceptance of public documents in the EU, which has the potential to make the lives of citizens a lot easier by cutting through cross-border red tape. The rapporteur, Bernhard Rapkay, will then launch an exchange of views between committee members with a view to the drafting of the report.

Finally, there will be an initial debate on Françoise Castex' future own-initiative report on private copying levies.

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## Structured dialogue - Commissioner Maroš Šef ovi

At 16.00 on 19 June 2013, the Committee on Legal Affairs will hold an exchange of views with Commissioner Maroš Šef ovi, as part of the annual structured dialogue between the European Parliament and the European Commission. This year, the exchange of views will have a wider focus than usual, as the debate will be less an assessment of a year's work than an overview of the achievements of the entire legislative period in the areas of responsibility of the commissioner.

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Approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products

<b>Procedure</b>	2012/0366(COD)
<b>Basic doc</b>	COM(2012)0788
<b>Rapporteur for opinion</b>	Klaus-Heiner Lehne
<b>Administrator respons.</b>	Magnus Nordanskog
<b>Lead committee/rapporteur</b>	ENVI/Linda McAvan

#### PRELIMINARY TIMETABLE

<b>Exchange of views</b>	24.4.2013
<b>Consideration of draft opinion</b>	30.5.2013
<b>Deadline for amendments</b>	3.6.2013, at 12.00
<b>Vote in JURI</b>	20.6.2013
<b>Adoption in lead committee</b>	July 2013
<b>Plenary</b>	September 2013



With reference to market, scientific and international developments in the more than 10 years that have passed since the adoption of the Tobacco Products Directive, the Commission is proposing to revise the Directive with the overall objective of improving the functioning of the internal market.

The proposal focuses on five policy areas:

1. Smokeless tobacco products and extension of the product scope;
2. Packaging and labelling;
3. Ingredients/additives;
4. Cross-border distance sales;
5. Traceability and security features.

A first exchange of views took place at the meeting on 24 April 2013.

In his draft opinion, the rapporteur, Mr Klaus-Heiner LEHNE, suggests a number of amendments to the Commission proposal, which is based on Article 114(1) TFEU on the establishment and improvement of the functioning of the internal market. According to the rapporteur, however, the proposal is in reality aimed, not at improving the functioning of the internal market, but rather at achieving a higher level of health protection, and such measures are to be taken by the Member States and not the EU.

The rapporteur considers, furthermore, that certain of the proposed measures, especially on the packaging of tobacco products, are not in conformity with fundamental rights such as the right to property, in particular intellectual property rights. Manufacturers must, furthermore, be able to make it known that a certain product is less harmful than others if this is scientifically proven and if the information is not misleading. In addition, the proposed effective ban on nicotine-containing products (NCPs) is not in line with the public-health aims of the proposal.

Finally, the proposal contains a large number of provisions delegating powers to the Commission, some of which concern essential elements of the proposal and are thus contrary to Article 290 TFEU, for example by potentially granting the Commission the power to prohibit cigarettes for good.

A brief exchange of views on the rapporteur's draft opinion took place at the meeting on 30 May 2013.

Members have tabled 109 amendments in addition to the 62 amendments in the draft opinion.

At the request of the S&D group, the JURI coordinators also decided, on 6 June 2013, to give an own-initiative opinion to ENVI, in accordance with paragraph 3 of Rule 37a of the Rules of Procedure, on the delegations of legislative power proposed by the Commission in its proposal (see item 25).

On the first day of this meeting the committee will consider the amendments, and will vote on the second day.

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### Approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products

<b>Procedure</b>	2012/0366(COD)
<b>Basic doc</b>	COM(2012)0788
<b>Legal basis</b>	Article 114 TFEU
<b>Rapporteur</b>	Dimitar Stoyanov
<b>Administrator</b>	Magnus
<b>respons.</b>	Nordanskog
<b>Lead</b>	ENVI
<b>committee</b>	

#### PRELIMINARY TIMETABLE

<b>Exchange of views</b>	19-20.6.2013
<b>Adoption JURI</b>	20.6.2013



The Commission's proposal to revise the Tobacco Products Directive (see items 5 and 20) includes no less than 16 different suggested delegations of legislative powers to the Commission. According to the rapporteur for opinion in JURI, Klaus-Heiner LEHNE, some of these suggested delegations concern essential elements of the proposal and are thus contrary to Article 290 TFEU, for example in potentially granting the Commission the power to prohibit cigarettes for good. Many of the amendments tabled by Members to the draft opinion similarly aim to reduce the number and scope of the suggested delegations.

One of the most flagrant examples of such an instance in the proposal is a paragraph in which the Commission proposes that it "shall be empowered to adopt delegated acts (...) to define the key elements" of data storage contracts which manufacturers and importers of tobacco products would be required to conclude with an independent third party.

At the request of the S&D group, the coordinators therefore decided, on 6 June 2013, to make use for the first time of the possibility, under paragraph 3 of Rule 37a of Parliament's Rules of Procedure, for JURI to take up questions on its own initiative concerning the delegation of legislative powers and to make recommendations concerning each of the 16 proposed delegations.

At this meeting, the standing rapporteur for the delegation of legislative powers, Dimitar STOYANOV, will present the issues involved and a recommendation for opinion, on which the Committee will then vote.

Access of third-country goods and services to the Union's internal market in public procurement and procedures supporting negotiations on access of Union goods and services to the public procurement markets of third countries

**Procedure** 2012/0060 (COD)  
**Basic doc** COM(2012)0124  
**Rapporteur** Raffaele Baldassarre  
**Administrator respons.** Ewa Wojtowicz  
**Lead Comm./rapporteur** INTA/Daniel Caspary

**PRELIMINARY TIMETABLE**

**Consideration of draft opinion** 29-30.5.2013  
**Deadline for amend.** 4.6.2013  
**Consideration of amend.** 20.6.2013  
**Adoption JURI ADOPTION PLENARY** 17.9.2013 tbd



As the Commission explains in the documents accompanying its proposal, the EU advocates an ambitious opening of international public procurement markets. Some EUR 352 billion of EU public procurement is open to bidders from member countries of the WTO agreement on government procurement. However, many third countries are reluctant to open their procurement markets to international competition. Currently, EU suppliers face manifold restrictive procurement practices in many of the countries that are the EU's main trading partners.

All in all, more than half of the world's procurement market is currently closed owing to protectionist measures, and this share is growing. As a result, the value of EU exports that currently find their way on to global procurement markets is only EUR 10 billion (0.08% of EU GDP) , whereas an estimated EUR 12 billion of further EU exports remains unrealised due to restrictions.

In contrast, the EU has kept its public procurement market largely open to international competition, despite growing pressure on its domestic market. With the exception of some provisions limited in scope to supply and service contracts in the utilities sector, the EU has not exercised its power to regulate the access of foreign goods, services and companies to the EU's public procurement market.

Given the rising importance of emerging economies, the absence of a level playing field causes many problems. This initiative is aimed at solving these problems (i) by strengthening the position of the European Union when negotiating access for EU companies to the public procurement markets of third countries, in order to open up our trading partners' markets; and (ii) by clarifying, for this purpose, the rules governing access by third-country companies, goods and services to the EU's public procurement market.

It establishes a comprehensive EU external public procurement policy that governs the access of foreign goods and services to the EU public procurement market and includes mechanisms to encourage the EU's trading partners to start market access discussions.

At this meeting, the committee will discuss the amendments tabled in committee.

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## Decisions in matters of matrimonial property regimes

## Decisions regarding the property consequences of registered partnerships



<b>Procedure</b>	<a href="#">2011/0059 (CNS)</a>	<b>Procedure</b>	<a href="#">2011/0060 (CNS)</a>
<b>Basic doc</b>	<a href="#">COM(2011)0126</a>	<b>Basic doc</b>	<a href="#">COM(2011)0127</a>
<b>Rapporteur</b>	Alexandra Thein	<b>Rapporteur</b>	Alexandra Thein
<b>Opinions</b>	LIBE/Evelyne Gebhardt FEMM/Marina Yannakoudakis	<b>Opinions</b>	LIBE/Michael Cashman FEMM/
<b>Administrator respons.</b>	Susanne Knöfel	<b>Administrator respons.</b>	Susanne Knöfel

<b>PRELIMINARY TIMETABLE</b>		<b>PRELIMINARY TIMETABLE</b>	
<b>Adoption JURI</b>	20.6.2013	<b>Adoption JURI</b>	20.6.2013

The two Commission proposals of March 2011 aim to clarify the rules covering the property rights of international couples, containing, in one text, rules on jurisdiction, applicable law and the recognition and enforcement of decisions as regards matters of matrimonial property regimes and, in the other text, on applicable law and the recognition and enforcement of decisions regarding the property consequences of registered partnerships. The Commission explains the fact that two separate proposals have been submitted in terms of the distinctive features of marriage and registered partnerships.

Council has made some – slow – progress on the files, with the Cypriot Presidency intensifying work in the Council working groups, and the Irish Presidency continuing the discussions.

The rapporteur, in her draft report, has presented her amendments to the two proposals: as regards matrimonial property regimes, she suggests in particular a number of clarifications regarding the scope, a restructuring and clarification of the rules on applicable law and a clear orientation towards other instruments in the area of cooperation in civil matters, such as the recently adopted Regulation on wills and succession and the Brussels I Regulation, currently being recast.

As regards the property regimes for registered partnerships, she proposes largely parallel rules to the ones on married couples, in particular opening the possibility of a choice of law to registered partnerships as well. The absence of choice of law in the Commission proposal had been the subject of an opinion requested by Parliament, on the initiative of JURI, from the Fundamental Rights Agency in Vienna, which found that the Commission had not adequately justified the differentiation between married couples and registered partnerships.

Both draft reports suggest that the provisions on recognition, enforceability and enforcement of decisions, as well as authentic instruments and court settlements, be aligned to the Regulation on Wills and Successions.

At this meeting the Committee will vote.

## Electronic identification and trust services for electronic transactions in the internal market

On 4 June 2012, the Commission proposed a regulation on electronic identification and trust services for electronic transactions in the internal market, as the last of 12 key actions proposed in the Single Market Act.

The aim of the proposal is to ensure that citizens and businesses can use their national electronic identification schemes (e-IDs) to access public services in other EU countries where e-IDs are available. It also creates an internal market for e-signatures and related online trust services across borders, in particular by ensuring that these services will have the same legal status as traditional paper-based processes.

The proposal respects existing national systems and the preferences of those Member States without national schemes. It allows countries with e-ID to opt in or to remain outside the European scheme. Once a Member State gives notification that it wishes to join the European scheme, it must offer the same access to public services via e-ID that it offers to its citizens.

At this meeting the Committee will vote on the draft opinion and the 137 amendments tabled.

**Procedure**  
**Basic doc**  
**Legal basis**  
**Rapporteur**  
**Administrator respons.**  
**Lead Comm./rapporteur**

2012/0146(COD)  
COM(2012)0238  
Article 114 TFEU  
Alajos Mészáros  
Susanne Knöfel  
ITRE/Marita  
Ulvskog  
IMCO/Marielle Gallo

**Associated Comm.**  
**(Rule 50)/rapporteur**

### PRELIMINARY TIMETABLE

**JURI Vote** 20.6.2013  
**IMCO Vote** July 2013  
**ITRE Vote** 18-19.9.2013



## Request for waiver of the parliamentary immunity of Marine Le Pen

At the sitting of 10 December 2012 the President announced, under Rule 6(2) of the Rules of Procedure, that he had received from the Chief Prosecutor at the Lyon Court of Appeal a request for the immunity of Marine Le Pen to be waived.

The President referred the request to the Committee on Legal Affairs under Rule 6(2).

At this meeting, the committee will vote.



**Procedure**  
**Rapporteur**

2012/2325(IMM)  
Cecilia Wikstrom

**Administrator resp.**  
**Notice to Members**

Ewa Wojtowicz  
13/2013

### PRELIMINARY TIMETABLE

**Exchange of views** 20.2.2013  
**Hearing** 29.5.2013  
**Draft report** 19.6.2013  
**Vote** 20.6.2013

## Disputes involving Parliament

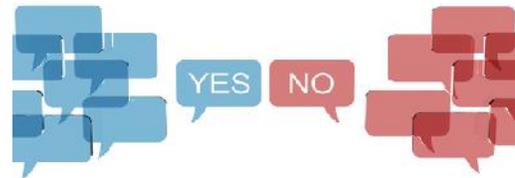
The Committee will discuss in camera a possible intervention of the European Parliament before the Court of Justice in support of the Commission's conclusions in Case C-248/13, Commission/Council, in the context of an action brought before the Court by the Commission with a view to having it established that, by failing to adopt the Commission's proposal for a Council Regulation adjusting with effect from 1 July 2012 the remuneration and pensions of officials and other servants of the European Union and the correction coefficients applied thereto, the Council has infringed its obligations under the Staff Regulations.

The Committee is called upon to decide upon its recommendations under Rule 128(4) of Parliament's Rules of Procedure.



<b>Procedure</b>	Rule 128(4)
<b>Standing rapporteur</b>	Jiří Maštálka
<b>Administrator</b>	Susanne Knöfel

<b>Preliminary timetable</b>	
<b>Exchange of views</b>	19.6.2013
<b>Adoption JURI</b>	19.6.2013



## Gender Balance among non-executive directors of companies

The proposal for a Directive of the European Parliament and of the Council on improving the gender balance among non-executive directors of companies listed on stock exchanges (COM(2012)0614) was presented by the Commission on the basis of Article 157(3) TFEU and has been submitted to Parliament accordingly under the ordinary legislative procedure.

On the proposal of the rapporteur Evelyn Regner, and following agreement of the JURI coordinators in their meeting of 15 April 2013, the Legal Affairs Committee is taking up on its own initiative, under Rule 37(3) of Parliament's Rules of Procedure, the question whether it is appropriate to put forward Article 157(3) TFEU as legal basis of the proposal.

The Committee on Legal Affairs and the Committee on Women's Rights and Gender Equality (FEMM) are joint committees under Rule 51 for this proposal. FEMM has decided to support the JURI own-initiative evaluation of

<b>Procedure</b>	Rule 37
<b>Rapporteur</b>	Evelyn Regner
<b>Administrator respons.</b>	Susanne Knöfel

<b>PRELIMINARY TIMETABLE</b>	
<b>Consideration of a legal basis</b>	30.5.2013
<b>Adoption JURI</b>	20.6.2013



the legal base chosen by the European Commission

After consideration of the legal base at its last meeting, JURI will now vote on its opinion.

## Proposal for a Regulation of the European Parliament and of the Council amending the Statute of the Court of Justice of the European Union by increasing the number of judges at the General Court

In 2011, the Court of Justice made various proposals to modernise the operation of the European Union's three courts.

As regards the General Court, the original proposal provided for an increase in the number of judges in order to cope with the increasing number of cases dealt with by that court. The figures on the General Court's workload are very clear, and the rapporteur considers that the case for an increase in the number of judges has been made.

The Council of Ministers was unable to agree to the increase, mainly because of disagreement as to the nationality of the future additional judges.

As a last resort, therefore, Parliament, the Council, the Court of Justice and the Commission agreed to split the proposal into two. The main part of the regulation has already become law.

On 17 January 2013, the rapporteur travelled to Luxembourg to discuss the situation with the Court of Justice and the General Court.

Ms Thein's draft report includes a novel proposal aimed at re-invigorating the debate, whereby nationality is not to be a criterion for the appointment of the additional judges – only merit is to be a criterion.

The Committee has considered the merits of the various solutions proposed, in the light inter alia of the contribution of Vassilios Skouris, President of the Court of Justice, made at the hearing of 24 April 2013, and that of Jean-Marc Sauvé, President of the Article 255 Panel, made at the hearing of 30 May 2013.

At this meeting, the committee will vote.



**Procedure**  
**Basic doc**  
**Legal basis**

[2011/0901B\(COD\)](#)  
02074/2011  
Articles 254(1) and  
281(2) TFEU

**Rapporteur**  
**Administrator respons.**  
**Opinion Comm./**  
**rapporteur**

Alexandra Thein  
Alexander Keys  
AFCO/Morten  
Messerschmidt

### PRELIMINARY TIMETABLE

**Exchange of views**

7.9.2012,  
26.11.2012,  
22.1.2013

**Draft report**

19.3.2013

**Deadline for amend.**

28.3.2013

**Consideration of amend.**

30.5.2013

**Adoption JURI**

20.6.2013



### Publication of timetables



Please note that you may find the timetables for the pending dossiers in the 'Publications' section of the website. The document will be updated once a week.

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## Amendment of directive 2006/66/EC on the placing on the market of portable batteries and accumulators containing cadmium intended for use in cordless power tools

By letter of 14 May 2013, the Chair of the Committee on Environment, Public Health and Food Safety requested an opinion from JURI under Rule 37 on the legal basis for the above proposed Directive amending the Cadmium Batteries Directive (COM(2012)0136).

The purpose of the proposal is to extend the prohibition of the use of cadmium to portable batteries and accumulators intended for use in cordless power tools.

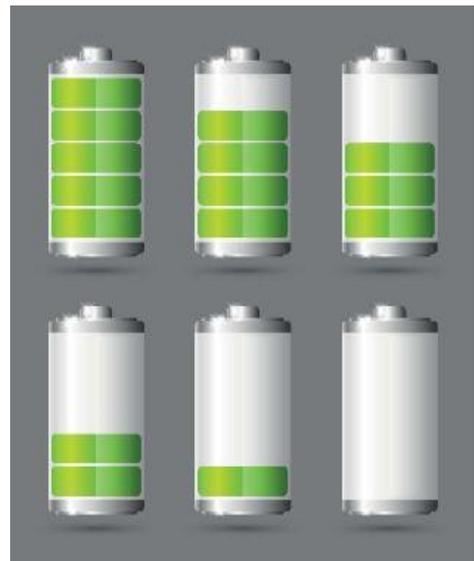
Since the legislative act which is to be amended includes references to the obsolete comitology system, the proposal contains a number of provisions intended to align the basic act to the system of delegated and implementing acts, under Article 291 TFEU and the Implementing Acts Regulation. On 21 February 2013, JURI gave an opinion to ENVI in accordance with Rule 37a on the delegation of legislative powers, in which it concluded that the Commission's proposal correctly aligned the directive, with the exception of one instance where provisions providing for delegated acts rather than implementing acts had to be used.

In the context of negotiations with the Council, which in the meantime have been concluded, it was agreed to amend the legal basis of the proposal and change it from the dual legal basis of Articles 192(1) and 114(1) TFEU to a single legal basis, namely Article 192(1) TFEU.

At this meeting the committee will adopt its opinion.



<b>Procedure</b>	2012/0066(COD)
<b>Basic document</b>	COM(2012)0136
<b>Legal basis</b>	Articles 192(1) and 114(1) TFEU
<b>Rapporteur</b>	Francesco Enrico Speroni
<b>Administrator respons.</b>	Magnus Nordanskog
<b>Lead Committee</b>	ENVI
<b>PRELIMINARY TIMETABLE</b>	
<b>Exchange of views</b>	20.6.2013
<b>Adoption JURI</b>	20.6.2013



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## Judgment of the UK Supreme Court on arbitration and injunctions: the Ust-Kamenogorsk Hydropower Plant case

In its judgment of 12 June 2013, [Ust-Kamenogorsk Hydropower Plant JSC \(Appellant\) v AES Ust-Kamenogorsk Hydropower Plant LLP \(Respondent\)](#) [2013] UKSC 35, the UK Supreme Court decided that the 'English courts have a long-standing and well-recognised jurisdiction to restrain foreign proceedings brought in violation of an arbitration agreement, even where no arbitration is on foot or in contemplation'. It should be noted that this case concerns a hypothetical action in a non-European jurisdiction.

Proposal for a Regulation amending Council Regulation (EC) No 207/2009 on the Community Trade Mark

Proposal for a Directive to approximate the laws of the Member States relating to Trade Marks (Recast)



<b>Procedure</b>	2013/0088(COD)	<b>Procedure</b>	2013/0089(COD)
<b>Basic doc</b>	COM(2013)0161	<b>Basic doc</b>	COM(2013)0162
<b>Rapporteur</b>	Cecilia Wikström	<b>Rapporteur</b>	Cecilia Wikström
<b>Administrator</b>	Magnus	<b>Administrator respons.</b>	Magnus
<b>respons.</b>	Nordanskog	<b>Opinion Committees</b>	Nordanskog
<b>Opinion</b>	IMCO/ tba	<b>/rapporteurs</b>	IMCO/ tba
<b>Committees</b>	INTA/ tba		INTA/ tba
<b>/rapporteurs</b>			
<b>PRELIMINARY TIMETABLE</b>		<b>PRELIMINARY TIMETABLE</b>	
<b>Presentation by the Commission</b>	29.5.2013	<b>Presentation by the Commission</b>	29.5.2013
<b>Exchange of views</b>	19.6.2013	<b>Exchange of views</b>	19.6.2013
<b>Mini-hearing</b>	8.7.2013	<b>Mini-hearing</b>	8.7.2013
<b>Consideration of draft opinion</b>	16-17.9.2013	<b>Consideration of draft opinion</b>	16-17.9.2013

On 27 March 2013, the Commission presented the long-awaited trade mark package, which consist of two legislative proposals– a suggested revision of the Community Trade Mark Regulation and a recast of the Trade Mark Directive – and a proposal for an implementing act to revise the Commission Regulation on the fees payable to the Office for Harmonisation in the Internal Market in Alicante (OHIM).

The overall objective of the package is to implement a well-targeted modernisation of registration systems all over the EU in order to make trade mark protection cheaper, quicker, more reliable and more predictable. To achieve this, the Commission is among other things proposing to introduce a principle of “one-class-per-fee”, which would apply at both European and national level, to enhance the cooperation between the OHIM and national trade-mark offices, and to further harmonise national procedures.

At the meeting on 29 May 2013, the Commission presented the proposals, and a first exchange of views took place, focusing primarily on the rapporteur’s suggested timetable and the procedure for drawing up the report.

At this meeting the Committee will hold an exchange of views on the substantive aspects of the proposals.

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## Collective management of copyright and related rights and multi-territorial licensing of rights in musical works for online uses in the internal market

This long-awaited proposal aims to create an appropriate legal framework for the collective management of copyright and related rights and the multi-territorial licensing of rights to musical works online. The provisions of the proposed directive concern two areas. First, Titles I, II and IV define the requirements for ensuring the proper functioning of collecting societies while improving their governance and transparency. Secondly, Title III and Articles 36 and 40 of Title IV seek to facilitate the granting of multi-territorial licences for rights to musical works for online use in the internal market.

In March, the rapporteur presented her working document, which was drawn up after extensive consultation with stakeholders. On 18 March, the committee held a hearing to enable a number of experts and stakeholders to present their views and positions.

At this meeting, the committee will discuss the 412 amendments tabled in addition to the 122 amendments presented by the rapporteur in the draft report.



**Procedure**  
**Basic doc**  
**Legal basis**

2012/0180(COD)  
COM(2012)0372  
Articles 50(2)(g),  
53 and 62 TFEU  
Marielle Gallo  
Ewa Wojtowicz

**Rapporteur**  
**Administrator respons.**

### PRELIMINARY TIMETABLE

<b>Hearing</b>	18.3.2013
<b>Presentation of working document</b>	19.3.2013
<b>Presentation of draft report</b>	29-30.5.2013
<b>Deadline for amend.</b>	4.6.2013
<b>Consideration of amend.</b>	20.6.2013
<b>Adoption JURI</b>	9.7.2013
<b>ADOPTION PLENARY</b>	tbc

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## Draft opinion in letter form on the motion for a resolution on domestic and intercountry adoptions in the Member States of the European Union

Cristiana Muscardini tabled a motion for a resolution on domestic and intercountry adoptions in plenary. The motion was referred to the Committee on Legal Affairs as the committee responsible.

Under Rule 120(2) of the Rules of Procedure, the committee responsible may, in such cases, issue an own-initiative report or a draft opinion in letter form.

In order to consider the situation, the committee postponed its decision pending the holding of a hearing on the law applicable to international adoptions on 25 April 2013. The hearing involved eminent experts on the issue, including from the Hague Conference on Private International Law.

**Basic doc**  
**Tabler**  
**Administrator respons.**

B7-0459/2012  
Cristiana Muscardini  
Alexander Keys

### PRELIMINARY TIMETABLE

<b>Consideration of a legal basis</b>	25.4.2013
<b>Adoption JURI</b>	20.6.2013



On 30 May, the Committee decided that it was appropriate to deal with the matter by means of an opinion in letter form, as there was no immediate need for legislation at European level.

At this meeting the committee will vote on the draft opinion in letter form.

## Verification of credentials



The President has announced to plenary that the competent national authorities have given notice of the appointment of the following as Member of the European Parliament, with effect from the date shown below:

Mrs Marusya LYUBCHEVA (to replace Mr Kristian VIGENIN), as from 7 June 2013.

According to Rule 3 of the Rules of Procedure, Parliament must, on the basis of a report by the JURI Committee, verify the credentials without delay and rule on the validity of the mandate of each of its newly elected Members.

**Rapporteur** Klaus-Heiner Lehne  
**Administrator** Magnus Nordanskog  
**respons.**

### TIMETABLE

**Exchange of views** 19.6.2013  
**Adoption JURI** 19.6.2013

Parliament will also rule on any dispute referred to it pursuant to the provisions of the Act of 20 September 1976, except those based on national electoral laws. It is not possible to confirm the validity of the mandate of a Member unless the written declarations required on the basis of Article 7 of the Act of 20 September 1976 and Annex I to the Rules have been made. Until such time as a Member's credentials have been verified or a ruling has been given on any dispute, the Member shall take his seat in Parliament and on its bodies and shall enjoy all the rights attaching thereto.

## Simplifying the acceptance of certain public documents in the EU

The proposed regulation simplifying the acceptance of certain public documents in the European Union aims to fulfil the very important role of making formalities easier for citizens who move across borders. A large number of EU citizens live in a Member State other than their own, and this number is steadily increasing. Even more citizens have links to another state, be it for family or professional reasons or simply for holidays. However, administrative formalities across borders are generally considerably more complicated than within individual Member States. Citizens may have to have their documents legalised by diplomatic authorities (legalisation or apostille), provide expensive certified translations of even the simplest forms or submit certified copies of official records.

The rapporteur, Bernhard Rapkay, considers that this proposal has the potential to make the cross-border lives of European citizens considerably easier.

At this meeting the Commission will present the proposal and explain the role of the Internal Market Information System in enabling Member State authorities to speak directly to one another. There will then be an exchange of views on the proposal, led by the rapporteur.



**Procedure** [2013/0119\(COD\)](#)  
**Basic doc** [COM\(2013\)0228](#)  
**Legal basis** Articles 21(2) and 114(1)  
**Rapporteur** Bernhard Rapkay  
**Administrator respons.** Alexander Keys

### PRELIMINARY TIMETABLE

**Exchange of views** 19.6.2013  
**Presentation of draft report** 9.7.2013  
**Deadline for amend.** 19.7.2013  
**Consideration of amend.** 6.9.2013  
**Adoption JURI** tbc  
**ADOPTION PLENARY** tbc

**Petition 967/2012 on the disenfranchisement of EU citizens exercising their right to free movement and discrimination based upon nationality under the Charter of Fundamental Rights**

The Committee will consider and possibly adopt a reply to a request from the Committee on Petitions for an opinion on Petition 967/2012. The petitioners, who are citizens of the United Kingdom residing in Spain, seek the support of the European Parliament to end a situation in which citizens of some Member States who have exercised their right to move to, and reside in, another Member State lose their right to vote in national and regional elections in their country of origin, while not being entitled to vote in such elections in their country of residence either. The petitioners consider this disenfranchisement incompatible with basic principles of EU law and call for the right to vote in national and regional elections in the Member State of permanent residence to be added to the list of European citizens' rights laid down in the Treaty on the Functioning of the European Union.



<b>Petition number</b>	967/2011
<b>Rapporteur</b>	Klaus-Heiner Lehne
<b>Administrator</b>	Kjell Sevón
<b>respons.</b>	
<b>Lead committee</b>	PETI

**Gender balance among non-executive directors of companies (JCM Meeting in Room JAN 6Q2)**

<b>Procedure</b>	2012/0299 (COD)	<b>Preliminary timetable</b>	
<b>Basic doc</b>	COM (2012)0614	<b>Exchange of views</b>	22.4.2013
<b>Legal basis</b>	Article 157(3) TFEU	<b>JCM with national parliaments</b>	19.6.2013
<b>Joint meetings</b>	JURI/FEMM	<b>Presentation of draft report</b>	8/9.7.2013
<b>Rapporteur</b>	Evelyn Regner, Rodi Kratsa-Tsagaropoulou	<b>Deadline for AMs</b>	29.8.2013
<b>Administrator</b>	Susanne Knöfel,	<b>Consideration of AMs</b>	18.9.2013
<b>respons.</b>	Chiara Tamburini	<b>JURI/FEMM vote</b>	14.10.2013
<b>Opinion Comm.</b>	IMCO, ECON, EMPL		

The long-awaited proposal for a Directive of the European Parliament and of the Council on improving the gender balance among non-executive directors of companies listed on stock exchanges (COM(2012)0614) establishes measures aimed at accelerated progress towards gender balance among the non-executive directors of listed companies. The proposal applies to listed companies, excluding SMEs. It requires Member States to ensure that listed companies on whose boards members of the under-represented sex hold less than 40 per cent of the non-executive director positions make appointments to those positions on the basis of a comparative analysis of the qualifications of each candidate, by applying pre-established, clear, neutrally formulated and unambiguous criteria, in order to attain the said percentage at the latest by 1 January 2020 or at the latest by 1 January 2018 in the case of listed companies that are public undertakings.

The Legal Affairs and the Women's Rights Committees, which are jointly in the lead for this dossier in Parliament, have decided to invite representatives of national parliaments to a joint committee meeting, with a view to conducting an open and broad discussion and to allowing participants to be properly informed about the various positions and to exchange arguments directly, so as to engage in a common reflection process. The rapporteurs from the two committees have submitted a working document as a basis for debate. The discussion will also help them to prepare their joint draft report, which is due to be presented in July 2013.

## Disclosure of non-financial and diversity information by certain large companies and groups

<b>Procedure</b>	2013/0110(COD)
<b>Basic doc</b>	COM(2013)0207
<b>Rapporteur</b>	Raffaella Baldassarre
<b>Administrator respons.</b>	Leticia Zuleta de Reales
<b>PRELIMINARY TIMETABLE</b>	
<b>Exchange of views</b>	20.6.2013
<b>Draft Report</b>	16/17.9.2013
<b>Deadline for amend.</b>	24.9.2013
<b>Consideration of am</b>	14.10.2013
<b>Adoption JURI</b>	5.11.2013



It is estimated that only a limited number of large companies (2 500 out of a total of 42 000 in the EU) regularly publish non-financial information. The quality of the information disclosed varies, making it difficult for investors and stakeholders to understand and compare companies' situation and performance. Furthermore, national requirements are quite different, which adds to the lack of clarity for companies and investors who operate across the Internal Market.

The need to improve the transparency of the social and environmental information provided by companies in all sectors, in order to ensure a level playing field, has been acknowledged by the Commission in the Single Market Act and was reiterated in the Communication "A renewed strategy 2011 – 2014 for Corporate Social Responsibility".

The European Parliament, in its two resolutions on "Corporate Social Responsibility: accountable, transparent and responsible business behaviour and sustainable growth" and "Corporate Social Responsibility: promoting society's interests and a route to sustainable and inclusive recovery", acknowledged the need to increase transparency in this field and called on the Commission to bring forward a legislative proposal.

Against this background, the legislative proposal presented by the Commission focuses on the following points:

1) Non-financial information: the proposal will require certain large companies to include a statement in their Annual Report including material information relating to environmental, social, and employee-related matters, respect of human rights, anti-corruption and bribery issues.

The obligation will only apply to those companies where the average number of employees exceeds 500, and exceeds either a balance sheet total of EUR 20 million or a net turnover of EUR 40 million.

2) Diversity: the amendment will require large listed companies to provide information on their diversity policy, including aspects concerning age, gender, geographical diversity, and educational and professional background. The information will be included in the corporate governance statement.

At this meeting, the Committee will hold a first exchange of views.

## Signature of the regulation on the mutual recognition of protection measures in civil matters

On 11 June 2013, co-rapporteurs António López-Istúriz and Antonyia Parvanova attended the signing ceremony for the regulation on the mutual recognition of protection measures in civil matters. Following the vote in Plenary in March and Council's approval, the finalised text of the regulation was signed by President Martin Schulz and Lucinda Creighton, Minister for European Affairs of the Republic of Ireland.





Since 31 May 2013 Parliament has received the following reasoned opinions from national parliaments raising concerns about subsidiarity:

Reasoned opinion

- by the United Kingdom House of Commons on the proposal for a Regulation of the European Parliament and of the Council on measures to reduce the cost of deploying high-speed electronic communications networks (COM(2013)0147 – C7-0082/2013 – 2013/0080(COD))
- by the Romanian Chamber of Deputies on the proposal for a Regulation of the European Parliament and of the Council on measures to reduce the cost of deploying high-speed electronic communications networks (COM(2013)0147 – C7-0082/2013 – 2013/0080(COD))
- by the Netherlands House of Representatives on the proposal for a Regulation of the European Parliament and of the Council on measures to reduce the cost of deploying high-speed electronic communications networks (COM(2013)0147 – C7-0082/2013 – 2013/0080(COD))
- by the Swedish Parliament on the proposal for a Regulation of the European Parliament and of the Council on measures to reduce the cost of deploying high-speed electronic communications networks (COM(2013)0147 – C7-0082/2013 – 2013/0080(COD))
- by the Greek Parliament on the proposal for a Directive of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purposes of research, studies, pupil exchange, remunerated and unremunerated training, voluntary service and au pairing (COM(2013)0151 – C7-0080/2013 – 2013/0081(COD))
- by the Austrian Parliament on the proposal for a Directive of the European Parliament and of the Council on the Production and making available on the market of plant reproductive material (plant reproductive material law) (COM(2013)0262 – C7-0121/2013 – 2013/0137(COD))

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