



JURI_PV(2010)0623_1

MINUTES

Meeting of 23 June 2010, from 09.00 to 12.30 and from 16.30 to 20.00
BRUSSELS

The meeting opened at 09.15 on Wednesday 23 June 2010, with Klaus-Heiner Lehne (Chair) in the chair.

1. Adoption of agenda

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The agenda was adopted.

2. Chair's announcements

The Committee would hold an extraordinary meeting in Strasbourg on 5 July 2010.

An interparliamentary workshop on an optional instrument for contract law would take place on 27 October 2010.

An interparliamentary workshop on civil justice: "How to facilitate the lives of European families and citizens?", would be held on 30 November 2010.

Tadeusz Zwiefka was appointed rapporteur for the 'Request for the defence of Mr Nigel Farage's parliamentary immunity'

The following standing rapporteurs were appointed:

- Eva Lichtenberger for legal basis,
- Sajjad Karim for subsidiarity,
- Francesco Enrico Speroni for contentious matters,
- József Szájer for comitology,
- Jiří Maštálka for codifications/recasts.

The following spoke: Jan Philipp Albrecht.

3. Minutes of the meetings on 17 May 2010 and of 31 May - 1 June 2010

The minutes were approved.

4. Implementation of enhanced cooperation procedure regarding the law applicable to divorce and legal separation

The following spoke: Tadeusz Zwiefka (rapporteur) and Rafael Gil Nievas (Spanish Presidency).

5. 26th Annual Report on Monitoring the Application of European Union Law (2008)

The discussion was postponed and the deadline for amendments was set for 12 July 2010, at noon.

6. Amendment of Regulation (EC) No 864/2007 on the law applicable to non-contractual obligations (Rome II)

The following spoke: Diana Wallis (rapporteur), Klaus-Heiner Lehne and Tadeusz Zwiefka.

7. Guaranteeing independent impact assessments

The following spoke: Angelika Niebler (rapporteur), Lidia Joanna Geringer De Oedenberg, Jan Philipp Albrecht, Piotr Borys, Klaus-Heiner Lehne and Marieanne Klingbeil (European Commission, Acting Chair of the Impact Assessment Board).

8. Better lawmaking - 15th annual report from the Commission pursuant to Article 9 of the Protocol on the application of the principles of subsidiarity and proportionality

The following amendments were adopted: 1, 2, AFCO A, AFCO D, AFCO E, AFCO 4, 4, 5, 6, AFCO 1, 7, 9, 10, 11, 12, AMC 1, AMC 2, 20, 22, AMC 3, 25, 26, 27, AMC 4, 29, 30, AMC 5, 34, 35, AFCO 3, 36 and 37.

The Committee adopted the draft report unanimously by 21 votes in favour.

The following spoke: Lidia Joanna Geringer De Oedenberg (rapporteur) and Tadeusz Zwiefka.

9. Implementation and review of Council Regulation (EC) No 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (Brussels I)

The following amendments were adopted: 1, AMC A, 2, 3, 4, 5, 6, 7, AMC B, 9, 10, 11, AMC C, AMC D, AMC E (first part), 25, 28, 29, 31, AMC F, 38, 37, 39 (first part), 41, AMC G, AMC H, 46, 49, 50, 51, 52, 53, 54 and AMC 6.

The Committee adopted the draft report by 15 votes in favour, 6 against and 0 abstentions.

10. The interconnection of business registers

The following amendments were adopted: 1, 2, IMCO A, 3, AMC 1, AMC 2, IMCO B, AMC 3, IMCO 8, IMCO 9, 10 (first and third parts), IMCO 15, 11, 12, 14, ECON 3, IMCO 3, IMCO 5, IMCO 6, Paragraph 10 with oral amendment by the rapporteur, IMCO 16 (second part), ECON 5, IMCO 4 (first part), IMCO 13 (second part), 19, IMCO 14 (as addition), ECON 8 and ECON 9.

The Committee adopted the draft report unanimously by 21 votes in favour.

The following spoke: Kurt Lechner (rapporteur) and Evelyn Regner.

11. Public access to European Parliament, Council and Commission documents

The item was deferred to the meeting of 5 July 2010.

The following spoke: Kurt Lechner (rapporteur), Klaus-Heiner Lehne, Bernhard Rapkay, Diana Wallis and Jan Philipp Albrecht.

12. Freedom of movement for workers within the Union - codified version

The Committee adopted the draft report unanimously by 19 votes in favour.

The following spoke: Lidia Joanna Geringer De Oedenberg (rapporteur).

13. Maximum permitted levels of radioactive contamination of foodstuffs and of feedingstuffs following a nuclear accident or any other case of radiological emergency (recast)

The Committee adopted the draft report unanimously by 19 votes in favour.

14. Control by Member States of the Commission's exercise of implementing powers

The following spoke: József Szájer (rapporteur) and Sebastian Valentin Bodu.

15. Civil law, commercial law, family law and private international law aspects of the Action plan implementing the Stockholm Programme

The following spoke: Luigi Berlinguer (rapporteur), Diana Wallis, Sebastian Valentin Bodu and Tadeusz Zwiefka.

The meeting was suspended at 11.30

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The meeting resumed at 12.15 with Klaus-Heiner Lehne (Chair) in the chair.

16. Parliament's position on the 2011 Draft Budget as modified by the Council - Section III - Commission

The discussion was postponed and the deadline for amendments was set for 12 August 2010, at noon.

17. Exchange of views with Edmund Stoiber, President of the High Level Group on Administrative Burdens Reduction

The following spoke: Edmund Stoiber, Klaus-Heiner Lehne, Angelika Niebler, Tadeusz Zwiefka and Lidia Joanna Geringer De Oedenberg.

The meeting was suspended at 12.40

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The meeting resumed at 16.40 with Klaus-Heiner Lehne (Chair) in the chair.

The Chair welcomed a visiting delegation from the Economic Community of West African States.

18. Proposed interim measures for the freezing and disclosure of debtors' assets in cross-border cases

The following spoke: Arlene McCarthy (rapporteur), Sebastian Valentin Bodu and Alexandra Thein.

19. Exchange of views with the Vice-President of the European Commission, Maroš Šefčovič, Commissioner for Inter-institutional relations and Administration

The following spoke: Maroš Šefčovič, Bernhard Rapkay, Francesco Enrico Speroni, Tadeusz Zwiefka and Klaus-Heiner Lehne.

20. Amendment of the Staff Regulations of Officials of the European Communities and the Conditions of Employment of Other Servants of those Communities

The Committee decided to request an opinion from the legal service to be presented by 5 July 2010 on the legal basis for the staff regulations concerning the compatibility of Article 6 of the draft Decision on the establishment of the EEAS with the Parliament's prerogatives.

The following spoke: Bernhard Rapkay (rapporteur) and Klaus-Heiner Lehne.

In camera

21. Disputes involving Parliament

The Committee decided by unanimity to recommend the President to:

- challenge the validity of Council Decision 2010/252/EU ("Frontex / Sea borders") before the Court of Justice whilst inviting the Court to preserve the effects of the measure until a new legislative act has been adopted,
- challenge the validity of the draft Council Regulation on notification to the

Commission of investment projects in energy infrastructure (2009/0106/CNS),

- submit observations in a preliminary ruling in which an Italian judge is asking for an interpretation of Article 8 (ex Article 9) of Protocol no 7 on the Privileges and Immunities of the European Union in connection with Parliament's resolution of 5 May 2009 on the defence of the immunity and privileges of Aldo Patriciello, limited to the interpretation of the scope of Article 8 of the protocol.

22. Verification of credentials

The Committee decided by unanimity that the appointment of Jerzy Buzek to be member of an Honorary Committee for the erection of a monument at the Temple of the Divine Providence in Warsaw as a tribute of the victims of the plane crash of Smolensk, in which the Polish President Lech Kaczynski died together with 95 other persons, is compatible with the office of Member of the European Parliament, and respects the spirit and letter of Article 7 of Act of 20 September 1976 concerning the election of the Members of the European Parliament.

23. Request for defence of Mr Valdemar Tomaševski's parliamentary immunity

The Committee adopted the draft report unanimously by 9 votes in favour.

The following spoke: Bernhard Rapkay (rapporteur) and Vytautas Landsbergis.

24. Request for waiver of the parliamentary immunity of Mr Krzysztof Lisek

The item was postponed.

25. Request for the waiver of the parliamentary immunity of Mr Viktor Uspaskich

The following spoke: Bernhard Rapkay (rapporteur), Klaus-Heiner Lehne, Francesco Enrico Speroni, Tadeusz Zwiefka and Sebastian Valentin Bodu.

The meeting closed at 18.35

26. Date and place of next meeting

5 July 2010, from 19.00 to 20.30
Strasbourg

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

Бюро/Mesa/Předsednictvo/Formandskabet/Vorstand/Juhatus/Προεδρείο/Bureau/Ufficio di presidenza/Prezidijs/Biuras/Elnökség/ Prezydium/Birou/Předsednictvo/Předsedstvo/Puheenjohtajisto/Presidiet (*)
Raffaele Baldassarre, Luigi Berlinguer, Sebastian Valentin Bodu, Klaus-Heiner Lehne, Evelyn Regner
Членове/Diputados/Poslanci/Medlemmer/Mitglieder/Parlamendiliikmed/Μέλη/Members/Députés/Deputati/Deputāti/Nariai/Képviselek/ Membri/Leden/Poslowie/Deputados/Deputați/Jäsenet/Ledamöter
Françoise Castex, Christian Engström, Marielle Gallo, Lidia Joanna Geringer de Oedenberg, Gerald Häfner, Daniel Hannan, Antonio López-Istúriz White, Antonio Masip Hidalgo, Alajos Mészáros, Bernhard Rapkay, Francesco Enrico Speroni, Alexandra Thein, Diana Wallis, Rainer Wieland, Zbigniew Ziobro, Tadeusz Zwiefka
Заместници/Suplentes/Náhradníci/Stedfortrædere/Stellvertreter/Asendusliikmed/Αναπληρωτές/Substitutes/Suppléants/Supplenti/ Aizstājēji/Pavaduojantys nariai/Póttagok/Sostituti/Plaatsvervangers/Zastępcy/Membros suplentes/Supleanți/Náhradníci/Namestniki/ Varajäsenet/Suppleanter
Jan Philipp Albrecht, Piotr Borys, Sergio Gaetano Cofferati, Sajjad Karim, Vytautas Landsbergis, Kurt Lechner, Arlene McCarthy, Angelika Niebler, József Szájer

187 (2)
193 (3)
46 (6) (Точка от дневния ред/Punto del orden del día/Bod pořadu jednání (OJ)/Punkt på dagsordenen/Tagesordnungspunkt/Päevakorra punkt/Ημερήσια Διάταξη Σημείο/Agenda item/Point OJ/Punto all'ordine del giorno/Darba kārtības punkts/Darbotvarkēs punktas/ Napirendi pont/Punt Agenda/Agendapunt/Punkt porządku dziennego/Ponto OD/Punct de pe ordinea de zi/Bod programu schôdze/ Točka UL/Esityslistan kohta/Föredragningslista punkt)

Наблюдатели/Observadores/Pozorovatelé/Observatører/Beobachter/Vaatlejad/Παρατηρητές/Observers/Observateurs/Osservatori/ Novērotāji/Stebētājai/Megfigyelők/Osservatori/Waarnemers/Observatorzy/Observadores/Observatori/Pozorovatelia/Opazovalci/ Tarkkailijat/Observatörer

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

Съвет/Consejo/Rada/Rådet/Rat/Nðukogu/Συμβούλιο/Council/Conseil/Consiglio/Padome/Taryba/Tanács/Kunsill/Raad/Conselho/Consiliu/Svet/Neuvosto/Rådet (*)
Комисия/Comisión/Komise/Kommissionen/Kommission/Euroopa Komisjon/Επιτροπή/Commission/Commissione/Komisija/Bizottság/Kummissjoni/Commissie/Komisja/Comissão/Comisie/Komisia/Komissio/Kommissionen (*)
Други институции/Otras instituciones/Ostatní orgány a instituce/Andre institutioner/Andere Organe/Muud institutsioonid/Άλλα θεσμικά όργανα/Other institutions/Autres institutions/Altre istituzioni/Citas iestādes/Kitos institucijos/Más intézmények/Istituzzjonijiet oħra/Andere instellingen/Inne instytucje/Outras Instituições/Alte institūții/Iné inštitúcie/Druge institucije/Muut toimielimet/Andra institutioner/organ

Други участници/Otros participantes/Ostatní účastníci/Endvidere deltog/Andere Teilnehmer/Muud osalejad/Επίσης Παρόντες/Other participants/Autres participants/Altri partecipanti/Citi klātesošie/Kiti dalyviai/Más résztvevők/Partecipanti oħra/Andere aanwezigen/Inni uczestnicy/Outros participantes/Alți participanți/Ini účastnici/Dруги udeleženci/Muut osallistujat/Övriga deltagare
Секретариат на политическите групи/Secretaría de los Grupos políticos/Sekretariát politických skupin/Gruppenes sekretariat/Sekretariat der Fraktionen/Fraktsioonide sekretariaat/Γραμματεία των Πολιτικών Ομάδων/Secretariats of political groups/Secrétariat des groupes politiques/Segreteria gruppi politici/Politisko grupu sekretariāts/Frakciju sekretoriai/Képviselőcsoportok titkársága/Sekretarjat gruppi politici/Fractiesecretariaten/Sekretariat Grup Politycznych/Secr. dos grupos políticos/Secretariate grupuri politice/Sekretariát politických skupin/Sekretariat političnih skupin/Poliittisten ryhmien sihteeristö/Gruppenas sekretariat
PPE S&D ALDE ECR Verts/ALE GUE/NGL EFD NI

<p>Кабинет на председателя/Gabinete del Presidente/Kancelář předsedy/Formandens Kabinet/Kabinett des Präsidenten/Presidendi kantseleri/Γραφείο Προέδρου/President's Office/Cabinet du Président/Gabinetto del Presidente/Priekšsēdētāja kabinets/Pirmininko kabinetas/Elnöki hivatal/Kabinett tal-President/Kabinet van de Voorzitter/Gabinet Przewodniczącego/Gabinete do Presidente/Cabinet Preşedinte/Kancelária predsedu/Urząd predsednika/Puhemiehen kabinetti/Talmannens kansli</p>	
<p>Кабинет на генералния секретар/Gabinete del Secretario General/Kancelář generálního tajemníka/Generalsekretærens Kabinet/Kabinett des Generalsekretärs/Peasekretäri büroo/Γραφείο Γενικού Γραμματέα/Secretary-General's Office/Cabinet du Secrétaire général/Gabinetto del Segretario generale/Ġeneralsekretära kabinets/Generalinio sekretoriaus kabinetas/Főtitkári hivatal/Kabinett tas-Segretarju Ġenerali/Kabinet van de secretaris-generaal/Gabinet Sekretarza Generalnego/Gabinete do Secretário-Geral/Cabinet Secretar General/Kancelária generálneho tajomníka/Urząd generalnega sekretarja/Pääsihteerin kabinetti/Generalsekreterarens kansli</p>	
<p>Генерална дирекция/Dirección General/Generální ředitelství/Generaldirektorat/Generaldirektion/Peadirektoraat/Γενική Διεύθυνση/Directorate-General/Direction générale/Direzione generale/Generāldirektorāts/Generalinis direktoratas/Főigazgatóság/Direktorat Ġenerali/Direktoraten-generaal/Dyrekcja Generalna/Direcção-Geral/Direcții Generale/Generálne riaditeľstvo/Generalni direktorat/Pääosasto/Generaldirektorat</p>	
<p>DG PRES DG IPOL DG EXPO DG COMM DG PERS DG INLO DG TRAD DG INTE DG FINS DG ITEC</p>	
<p>Правна служба/Servicio Jurídico/Právní služba/Juridisk Tjeneste/Juristischer Dienst/Öigusteenistus/Νομική Υπηρεσία/Legal Service/Service juridique/Servizio giuridico/Juridiskais dienests/Teisės tarnyba/Jogi szolgálat/Servizz legali/Juridische Dienst/Wydział prawny/Serviço Jurídico/Serviciu Juridic/Právny servis/Pravna služba/Oikeudellinen yksikkö/Rättstjänsten</p>	
<p>Секретариат на комисията/Secretaría de la comisión/Sekretariat výboru/Udvalgssekretariatet/Ausschussekretariat/Komisjoni sekretariaat/Γραμματεία επιτροπής/Committee secretariat/Secrétariat de la commission/Segreteria della commissione/Komitejas sekretariāts/Komiteto sekretoriatas/A bizottság titkársága/Sekretarjat tal-kumitat/Commissiesecretariaat/Sekretariat komisji/Secretariado da comissão/Sekretariat comisie/Sekretariat odbora/Valiokunnan sihteeristö/Utskottssekretariatet</p>	
<p>M.J. Martinez Iglesias, R. Bray, E. Dirrig, E. Kretschmer, G. Mussa, M. Nordanskog, J. Tymowski, L. Zuleta De Reales Ansaldo</p>	
<p>Сътрудник/Asistente/Asistent/Assistent/Assistenz/Βοηθός/Assistant/Assistente/Palīgs/Padējējas/Asszisztens/Asystent/Pomočník/Avustaja/Assistenten</p>	
<p>N. Moussaoui</p>	

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