



COMMISSION EUROPÉENNE
SECÉTARIAT GÉNÉRAL

Direction B - Prise de décision & Collégialité
SG.B.3 - Secrétariat du Groupe des Relations Interinstitutionnelles (GRI)

Brussels, 28 July 2020

SP(2020) 367 final

**Commission communication on the action taken on
positions and resolutions adopted by the European Parliament –
July I 2020 part-session**

THIS COMMUNICATION INFORMS PARLIAMENT OF THE ACTION TAKEN BY THE COMMISSION ON AMENDMENTS ADOPTED BY PARLIAMENT RELATING TO PROPOSED LEGISLATION DURING THE JULY I 2020 PART-SESSION.

IN THE SECOND PART THE COMMISSION LISTS A NUMBER OF NON-LEGISLATIVE RESOLUTIONS ADOPTED BY PARLIAMENT DURING THE SAME PART-SESSION, WITH EXPLANATIONS AS TO WHY IT WILL NOT BE RESPONDING FORMALLY

CONTENTS

LEGISLATIVE RESOLUTIONS

ORDINARY LEGISLATIVE PROCEDURE – FIRST READING

[Proposal for a regulation of the European Parliament and of the Council laying down temporary measures concerning the time limits for the collection, verification and examination stages provided for in Regulation \(EU\) 2019/788 on the European citizens' initiative in view of the COVID-19 outbreak](#)

[Proposal for a regulation of the European Parliament and of the Council amending Regulation \(EU\) 2016/1628 as regards its transitional provisions in order to address the impact of COVID-19 crisis](#)

SPECIAL LEGISLATIVE PROCEDURE – FIRST READING

[Proposal for a Council decision on guidelines for the employment policies of the Member States](#)

[Proposal for a Council decision amending Directives \(EU\) 2017/2455 and \(EU\) 2019/1995 as regards the dates of transposition and application due to the outbreak of the COVID-19 crisis](#)

[Proposal for a Council regulation amending Regulation \(EU\) 2017/2454 as regards the dates of application due to the outbreak of the COVID-19 crisis](#)

PART TWO – NON-LEGISLATIVE RESOLUTIONS

Part One
Legislative opinions

ORDINARY LEGISLATIVE PROCEDURE – First reading

Follow up to the European Parliament legislative resolution on the proposal for a regulation of the European Parliament and of the Council laying down temporary measures concerning the time limits for the collection, verification and examination stages provided for in Regulation (EU) 2019/788 on the European citizens' initiative in view of the COVID-19 outbreak

- 1. Rapporteur:** Loránt VINCZE (EPP / RO)
- 2. Reference numbers:** 2020/0099 (COD) / P9_TA-PROV(2020)0188
- 3. Date of adoption of the resolution:** 9 July 2020
- 4. Legal basis:** Article 24 of the Treaty on the Functioning of the European Union
- 5. Competent Parliamentary Committee:** Committee on Constitutional Affairs (AFCO)
- 6. Commission's position:** Accepts all amendments.

ORDINARY LEGISLATIVE PROCEDURE – First reading

Follow up to the European Parliament legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2016/1628 as regards its transitional provisions in order to address the impact of COVID-19 crisis

- 1. Rapporteur:** NA
- 2. Reference numbers:** 2020/0113 (COD) / P9_TA-PROV(2020)0202
- 3. Date of adoption of the resolution:** 10 July 2020
- 4. Legal basis:** Article 114 of the Treaty on the Functioning of the European Union
- 5. Competent Parliamentary Committee:** Committee on Environment, Public Health and Food Safety (ENVI)
- 6. Commission's position:** Accepts all amendments.

SPECIAL LEGISLATIVE PROCEDURE – Consultation

Follow up to the European Parliament legislative resolution on the proposal for a Council decision on guidelines for the employment policies of the Member States

- 1. Rapporteur:** José GUSMÃO (GUE/NGL / PT)
- 2. Reference numbers:** 2020/0030 (NLE) / A9-0124/2020 / P9_TA-PROV(2020)0194
- 3. Date of adoption of the resolution:** 10 July 2020
- 4. Legal basis:** Article 148(2) of the Treaty on the Functioning of the European Union
- 5. Competent Parliamentary Committee:** Committee on Employment and Social Affairs (EMPL)
- 6. Commission's position:** The Commission takes note of the amendments proposed by the European Parliament and reserves its position.

SPECIAL LEGISLATIVE PROCEDURE – Consultation

Follow up to the European Parliament legislative resolution on the proposal for a Council decision amending Directives (EU) 2017/2455 and (EU) 2019/1995 as regards the dates of transposition and application due to the outbreak of the COVID-19 crisis

1. **Rapporteur:** Ondřej KOVAŘÍK (Renew / CZ)
2. **Reference numbers:** 2020/0082 (CNS) /A9-0122/2020) / P9_TA-PROV(2020)0189
3. **Date of adoption of the resolution:** 10 July 2020
4. **Legal basis:** Articles 113 and 115 of the Treaty on the Functioning of the European Union
5. **Competent Parliamentary Committee:** Committee on Economic and Monetary Affairs (ECON)
6. **Commission's position:** The Commission rejects the amendments

With regard to the reference to **the COVID-19 outbreak which should not be used as an excuse to further delay the implementation of commonly agreed rules** (recital 3 a (new)), although the Commission could accept the spirit of the amendment, in this particular case it considers that the outbreak has caused genuine difficulties for Member States to finalise the implementation work to apply the new rules of the VAT e-commerce package as of 1 January 2021. Member States had to urgently shift priorities and reallocate resources from the implementation of the VAT (Value Added Tax) e-commerce package to fighting this pandemic, and this caused major difficulties for some of them to meet the envisaged deadline. Keeping in mind that the provisions on the functioning of the VAT e-commerce package are based on the principle that all Member States should be in a position to apply them correctly, the postponement is considered appropriate and necessary. Moreover, legal certainty for Member States and all stakeholders involved had to be ensured as quickly as possible.

With regard to the proposed amendment to **replace the 6-month delay with a 3-month delay** (recital 4; Article 1, – paragraph 1 – point 1 – point a; Article 1 – paragraph 1 – point 1 – point b; Article 1 – paragraph 1 – point 2; Article 1 – paragraph 1 – point 3 – point a; Article 1 – paragraph 1 – point 3 – point b; Article 2 – paragraph 1; Article 2 – paragraph 1), the Commission considers that a delay of 6 months, as originally proposed, carefully strikes the balance between the need to keep the extension short, in order to minimise additional budgetary losses for the Member States, on the one hand, and the need to give sufficient additional time to the Member States and the stakeholders to ensure that the system implementing the new VAT e-commerce rules will be ready and fully operational, on the other hand. The provisions on the functioning of the VAT e-commerce package are based on the principle that all the Member States should be in a position to apply them correctly. Member States as well as economic operators directly involved in the application of the VAT e-commerce rules asked for or agreed to a delay period of 6 months. The budgetary losses for the Member States have been estimated at around EUR 5-7 billion yearly if the VAT e-commerce package is not implemented successfully. A delay of 6 months would therefore cause losses of around EUR 2.5-3.5 billion. However, if the Member States and the businesses were required to apply the new VAT e-commerce rules when they were not ready to do so, the risk of the system not working properly could entail almost the same losses in

normal circumstances. In the overall context of the pandemic, these losses would be higher than the losses caused by a 6 months delay, as Member States and businesses would be legally bound to comply with this piece of legislation without being ready to do so, at a time when they should be devoting resources to other types of action directly linked to fighting the pandemic.

SPECIAL LEGISLATIVE PROCEDURE – Consultation

Follow up to the European Parliament legislative resolution on the proposal for a Council regulation amending Regulation (EU) 2017/2454 as regards the dates of application due to the outbreak of the COVID-19 crisis

1. **Rapporteur:** Luděk NIEDERMAYER (EPP / CZ)
2. **Reference numbers:** 2020/0084 (CNS) / A9-0123/2020 / P9_TA-PROV(2020)0181
3. **Date of adoption of the resolution:** 9 July 2020
4. **Legal basis:** Articles 113 and 115 of the Treaty on the Functioning of the European Union
5. **Competent Parliamentary Committee:** Committee on Economic and Monetary Affairs (ECON)
6. **Commission's position:** The Commission rejects the amendments

With regard to the reference to **the COVID-19 outbreak which should not be used as an excuse to further delay the implementation of commonly agreed rules** (recital 4 a (new)), although the Commission could accept the spirit of the amendment, in this particular case it considers that the outbreak has caused genuine difficulties for the Member States to finalise the implementation work to apply the new rules or the VAT (Value Added Tax) e-commerce package as of 1 January 2021. Member States had to urgently shift priorities and reallocate resources from the implementation of the VAT e-commerce package to fighting this pandemic, and this caused major difficulties for some of them to meet the envisaged deadline. Keeping in mind that the provisions on the functioning of the VAT e-commerce package are based on the principle that all the Member States should be in a position to apply them correctly, the postponement is considered appropriate and necessary. Moreover, legal certainty for the Member States and all the stakeholders involved had to be ensured as quickly as possible.

With regard to the proposed amendment to **replace the 6-month delay with a 3-month delay** (recital 5; Article 1 – paragraph 1 – point 1 – point a; Article 1 – paragraph 1 – point 1 – point b – point i; Article 1 – paragraph 1 – point 2), the Commission considers that a delay of 6 months, as originally proposed, carefully strikes the balance between the need to keep the extension short, in order to minimise additional budgetary losses for the Member States, on the one hand, and the need to give sufficient additional time to the Member States and the stakeholders to ensure that the system implementing the new VAT e-commerce rules will be ready and fully operational, on the other hand. The provisions on the functioning of the VAT e-commerce package are based on the principle that all the Member States should be in a position to apply them correctly. Member States as well as economic operators directly involved in the application of the VAT e-commerce rules asked for or agreed to a delay period of 6 months. The budgetary losses for the Member States have been estimated at around EUR 5-7 billion yearly if the VAT e-commerce package is not implemented successfully. A delay of 6 months would therefore cause losses of around EUR 2.5-3.5 billion. However, if the Member States and the businesses were required to apply the new VAT e-commerce rules when they were not ready to do so, the risk of the system not working properly could entail almost the same losses in normal circumstances. In the overall context of

the pandemic, these losses would be higher than the losses caused by a 6 months delay, as Member States and businesses would be legally bound to comply with this piece of legislation without being ready to do so, at a time when they should be devoting resources to other types of action directly linked to fighting the pandemic.

Part Two

Non-legislative resolutions

**THE COMMISSION DOES NOT INTEND TO RESPOND FORMALLY TO THE
FOLLOWING NON-LEGISLATIVE RESOLUTION, ADOPTED BY THE
EUROPEAN PARLIAMENT DURING THE JULY I 2020 PART-SESSION**

Resolution on the humanitarian situation in Venezuela and the migration and refugee crisis (2019/2952(RSP))

EP: RC-B9-0211/2020

Date: 10 July 2020

Commissioners responsible: Josep BORREL

European External Action Service

Reason: The Commission will not be responding formally to the requests addressed in the resolution as they were comprehensively addressed in plenary by High Representative / Vice-President Borrell.