



Malta-EU Steering & Action Committee

COMPETITIVENESS AND CONSUMER AFFAIRS

Sectoral Committee
Weekly Update
18.06.10

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[COM \(2010\) 310 - Proposal for a COUNCIL DECISION of \[...\] on the compulsory application of Regulations No 1, 3, 4, 6, 7, 8, 10, 11, 12, 13, 13 H, 14, 16, 17, 18, 19, 20, 21, 23, 25, 26, 28, 31, 34, 37, 38, 39, 43, 44, 46, 48, 55, 58, 61, 66, 67, 73, 77, 79, 80, 87, 89, 90, 91, 93, 94, 95, 97, 98, 99, 102, 105, 107, 110, 112, 116, 118, 121, 122, 123 and 125 of the United Nations Economic Commission for Europe for the type-approval of motor vehicles, their trailers and systems, components and separate technical units intended therefor](#)

The Community has acceded to UNECE (United Nations Economic Commission for Europe) Regulations No. 1, 3, 4, 6, 7, 8, 10, 11, 12, 13, 13 H, 14, 16, 17, 18, 19, 20, 21, 23, 25, 26, 28, 31, 34, 37, 38, 39, 43, 44, 46, 48, 55, 58, 61, 66, 67, 73, 77, 79, 80, 87, 89, 90, 91, 93, 94, 95, 97, 98, 99, 102, 105, 107, 110, 112, 116, 118, 121, 122, 123 and 125 for the type-approval of motor vehicles, their trailers and systems, components and separate technical units intended therefor.

Directive 2007/46/EC provides for the possibility to apply UNECE Regulations for the purpose of EC vehicle type-approval on a compulsory basis. According to Article 4 (2) of Regulation (EC) No 661/2009 type-approval in accordance with the UNECE Regulations which have been made mandatory shall be considered as EC type-approval in accordance with that Regulation and its implementing measures.

Type-approvals issued under the UNECE Regulations will be considered as EC type approvals, hence avoiding duplication of work not only in technical requirements but also in certification and administrative procedures, to the benefit of both industry and national authorities. In addition, type-approval that is directly based on internationally agreed standards will improve market access in third countries, in particular those which are contracting parties to the UNECE 1958 Agreement, thus enhancing the EU industry's competitiveness.

The Decision proposed concerns the incorporation of the above listed UNECE Regulations into the approval system for motor vehicles and thus to add them to the legislation in force within the Community.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0310:FIN:EN:PDF>



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COM (2010) 307 - REPORT FROM THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT on the implementation of Regulation (EC) No 184/2005 of the European Parliament and of the Council of 12 January 2005 on Community statistics concerning balance of payments, international trade in services and foreign direct investment

The main objective of Regulation 184/2005 is to establish a common framework and statistical quality standards for the systematic production of European Union statistics on balance of payments, international trade in services and foreign direct investment. Article 12 of this Regulation states that the Commission shall submit a report to the European Parliament and the Council on the implementation of the Regulation by 28 February 2010.

This report examines the most important aspects of the implementation of the Regulation by the Member States and the measures taken by the Commission to ensure high quality European statistics concerning balance of payments, international trade in services and foreign direct investment. The report:

- records the quality of the statistics produced;
- assesses the benefits accruing to the Union, the Member States and the providers and users of statistical information of the statistics produced in relation to the costs;
- identifies areas for potential improvement and amendments considered necessary in the light of the results obtained; and
- reviews the functioning of the Balance of Payments Committee and recommends whether the scope of implementing measures should be redefined.

The Commission concludes that the entry into force of the Regulation has helped to harmonise balance of payments statistics throughout the EU and has increased the availability of data for users. The Regulation also provides for a legal basis for the preparation of national statistical programmes. The quality of the data produced, in its various types, is closely monitored by the Balance of Payments Committee.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0307:FIN:EN:PDF>



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COM (2010) 305 - Proposal for a COUNCIL IMPLEMENTING DECISION authorising France and Italy to introduce a special measure derogating from Article 5 of Directive 2006/112/EC on the common system of value added tax

Article 395 of Council Directive 2006/112/EC on the common system of value added tax (the VAT Directive), states that the Council, acting unanimously on a proposal from the Commission, may authorise any Member State to apply special measures for derogation from the provisions of that Directive, in order to simplify the procedure for collecting VAT or to prevent certain forms of tax evasion or avoidance.

On the 19th November and 19th June 2009 respectively, France and Italy requested authorisation to introduce a measure derogating from Article 5 of the VAT Directive. With a view to facilitating road traffic between their two countries, France and Italy reached an agreement on the 12th March 2007 on implementing a unified management structure for the Col de Tende Road Tunnel, a permanent road link between the two Member States.

As the old and new tunnels lie within both France and Italy, without a simplification measure it would be necessary to establish the exact place of each taxable transaction according to the territory in which each part of the operation, maintenance and safety of both tunnels, as well as in the construction of the new tunnel, is carried out.

Therefore the Republic of France and the Italian Republic have requested authorisation to consider the entire perimeter of the site of current tunnel, along with the construction site of the new tunnel, as being within the territory of Italy for the purposes of supplies of goods, services, intra-Community acquisitions and imports intended for the relevant construction, operation, maintenance and safety of the two tunnels.

The Commission feels that this request is justified and is thus proposing to the Council to adopt this Decision allowing these two Member States to derogate from Article 5 of the VAT Directive.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0305:FIN:EN:PDF>



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COM (2010) 285 - REPORT FROM THE COMMISSION TO THE COUNCIL, THE EUROPEAN PARLIAMENT, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS - Report on the application by Member States of the EU of the Commission 2009/385/EC Recommendation (2009 Recommendation on directors' remuneration) complementing Recommendations 2004/913/EC and 2005/162/EC as regards the regime for the remuneration of directors of listed companies

The financial crisis exposed serious weaknesses in the way financial markets are regulated and supervised. Concerns have been voiced about recent substantial increases in executive remuneration, the increased importance of variable pay in the composition of directors' remuneration and related short term focus of remuneration policies across all sectors of the economy.

In April 2009 the Commission adopted a Recommendation (2009/385/EC) on the structure of directors' remuneration and on the process of design and operation of the remuneration policy for directors in listed companies, which sets out a series of new principles complementing the previous Recommendations.

The objective of this report is to evaluate whether Member States have acted in order to give effect to the main principles of the 2009 Recommendation on directors' remuneration. It also considers what measures have been taken by Member States to give effect to some main principles of the 2004 Recommendation on directors' remuneration, in particular principles related to disclosure of remuneration policy and individual remuneration of directors and the shareholders' vote on the remuneration statement, with a view to analysing whether further steps have been taken in this field following the financial crisis.

Based on the replies of Member States to a Commission Staff questionnaire as well as the examination of national corporate governance codes and laws of the Member States the Commission found that the 2009 Recommendation has been taken into account by a number of member States. Ten Member States have endorsed at least half of the recommendations. However, most recommendations have been implemented by a minority of the Member States. At the moment, a number of Member States are still working on the implementation of the recommendations in its law or Corporate Governance



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Code. In consequence, the Commission intends to consider whether further measures are needed to improve the coherence and effectiveness of EU action in this area. To this end, a series of questions have been included in the Commission's Green Paper on Corporate Governance in Financial Institutions.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0285:FIN:EN:PDF>