COUNCIL OF THE EUROPEAN UNION

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NOTE

from :	General Secretariat of the Council
to :	Delegations
Subject :	Summary record of the meeting of the **Internal Market and Consumer Protection (IMCO)**, held in Brussels on 12 July 2010

The meeting was chaired by Mr Harbour (ECR, UK),

1. Presentation of the priorities of the Belgian Presidency by the Federal Minister in charge of the Internal Market, Mr Vincent Van Quickenborne[1]

In his introductory remarks, Mr Van Quickenborne pointed out the 3 priorities of the Belgian Presidency: the further deepening of the internal market to promote growth, competitiveness and innovation, further progress on the Consumer Protection Directive proposal, including the pursuit of Commissioner Reding's 'targeted maximum harmonization' policy, and an agreement at first reading on the Late Payments' Directive after the summer. Mr Van Quickenborne also mentioned other points in the Belgian Presidency agenda such as an agreement at second reading on the technical harmonisation of building materials and textile fibres, the stimulation of the debate regarding gambling and online-gambling in order to formulate a common European approach and the intensification of discussions regarding the weaknesses of the retail sector.

[1] Only this agenda item was followed.

Mr Harbour expressed his satisfaction with the focus given to the retail sector during the presentation of the Presidency because the IMCO Committee had recently decided to produce an own-initiative report in response to a working document of the Commission which should be completed before the Competitiveness Council of 10 December 2010. He therefore proposed sharing the report's findings with the Presidency and focusing on Commissioner Barnier's ideas on the Single Market Act in the framework of the ongoing discussions on the retail market.

For the political groups, the following speakers took the floor:

- Mr Schawab (EPP, DE) initially centred his remarks on delayed payments and more specifically on Business-to-Business (B2B) contracts, suggesting the definition of its limits and conditions. On the Consumer Rights Directive and in the context of the Presidency's initiative to table a plan by November 2010 for a comprehensive proposal, Mr Schwab thought it important to move ahead irrespective of the level of consensus on the degree of harmonization.
- Mr Tarabella (S&D, BE) regretted the lack of ambition of the Presidency regarding the energy and the telecommunications' markets which in his opinion were liberalized without any particular advantage for European consumers in terms of pricing, transparency and quality and proposed a thorough analysis of the impact of the liberalization of those markets. He reminded the Committee that his group had recommended a European Energy Consumers' Charter that was rejected by the Council.
- Mr Rochefor (ALDE, FR) agreed with the priorities of the Belgian Presidency, and particularly with the revival of the Internal Market. He was pleased with the reference made to Mario Monti's report on the re-launch of the Single Market and asked if the Member States were ready to enforce it. However, he considered that the Presidency's programme should be more ambitious and less vague concerning the Consumer Rights' Directive. He asked what was the Council's position regarding the type of harmonization to be implemented. Finally, he recalled the importance of reaching an agreement on the Single European Patent.
- Mr Triantaphyllides (GUE/NGL, CY) asked if the Presidency supported Mario Monti's report on the Single Market.

Regarding the interventions by individual Members, many MEPs (Ms Weiler, -S&D, DE- Ms Rapti, -S&D, EL, Ms Bildt, -EPP, SE-) congratulated Van Quickenborne on his Community approach.

Ms Vergnaud (S&D, FR), asked what the Presidency intended to do regarding cross -border health care. On the Consumer Rights' Directive, Mr Correia de Campos (S&D, PT) enquired about the Presidency's position with specific reference to full or partial harmonization regarding non- face-to-face and face-to-face commerce, and Ms Weiler (S&D, DE) thought it important to make an exception for hospitals. Finally, Ms Bildt wished to know how to reawaken the political vision that harmonization, common rules, legal certainty and transparency were beneficial to consumers.

Mr Van Quickenborne regarded as positive the proposal to coordinate efforts between the Presidency and the IMCO Committee. On late payments, he informed the Committee that the Presidency needed a mandate from the Council to negotiate with the European Parliament. He expressed its intention to introduce B2B contracts in the new Directive to protect SMEs, and he hoped to build a consensus between the Council and the European Parliament by the autumn of 2010. He reported that most Member States supported the concept of 'targeted maximum harmonization' and judged it necessary for all Member States to adopt a pragmatic position in order to reach a compromise that should include cross -border transactions. He reaffirmed his support for the Single European Patent, hoping to obtain a compromise during the December 2010 Council meeting. He explained that the 'health dossier' was very sensitive due to its specificity. He defended a proper digital online market but informed the IMCO Committee that most Members States did not agree with the distinction between non -face-to-face and face-to-face commerce. Finally, he reiterated the intention of the Presidency to strengthen the spirit of the Single Market and considered essential the involvement of politicians to regain the support and confidence of European citizens.

12 Date of the next meeting

The next meetings will take place in Strasbourg on Wednesday 2 September 2010.