



**COUNCIL OF  
THE EUROPEAN UNION**



9400/09 (Presse 112)

**PRESS RELEASE**

2940th Council meeting

**Economic and Financial Affairs**

Brussels, 5 May 2009

President      **Mr Miroslav KALOUSEK**  
Minister for Finance of the Czech Republic

**P R E S S**

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9400/09 (Presse 112)

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**EN**

## **Main results of the Council**

*The Council approved an increase, from EUR 25 billion to EUR 50 billion, of the lending ceiling for the EU's support facility for non-euro area **member states in financial difficulty**.*

*The support facility has recently been used to provide medium-term assistance to Hungary and Latvia, as part of broader assistance from the IMF and other creditors. The increase in the ceiling is intended to cater for potential demand from member states in the light of the economic and financial crisis. In this context, the Council agreed to provide medium term assistance to Romania.*

*The Council also adopted conclusions on the quality and sustainability of **public finances**, following an update of age-related expenditure projections for the EU's member states.*

*The conclusions highlight the importance of long-term planning of public finances, despite the current difficult economic circumstances. They emphasise the diversity of situations in different member states, along with the need to address the impact of ageing populations both on public expenditure and on potential growth rates.*

*The Council adopted the legal texts that result from its political agreement in March on the use of **reduced VAT rates** in certain sectors, and on a specific VAT derogation for the **United Kingdom**, aimed at tackling fraud.*

*The Council adopted regulations facilitating access to grants from the European Social Fund so as to mitigate the **social impact** of the financial crisis, and making **energy efficiency** improvements and renewable energy schemes eligible for support from the European Regional Development Fund. Both texts are part of the European economic recovery plan approved in December.*

*It also adopted conclusions on economic achievements and challenges, five years after the EU's biggest-ever **enlargement**.*

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<sup>1</sup> Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks. Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>). Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

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## PARTICIPANTS

The governments of the Member States and the European Commission were represented as follows:

### Belgium:

Mr Didier REYNDERS

Deputy Prime Minister and Minister for Finance

### Bulgaria:

Mr Boyko KOTZEV

Permanent Representative

### Czech Republic:

Mr Miroslav KALOUSEK

Minister for Finance

Mr Tomáš ZÍDEK

Deputy Minister for Finance, International Relations and Financial Policy Section

### Denmark:

Mr Claus Hjort FREDERIKSEN

Minister for Finance

### Germany:

Mr Peer STEINBRÜCK

Federal Minister for Finance

### Estonia:

Mr Ivari PADAR

Minister for Finance

### Ireland:

Mr Rory MONTGOMERY

Permanent Representative

### Greece:

Mr Ioannis PAPATHANASIOU

Minister of Economic and Finance

### Spain:

Ms Elena SALGADO

Second Vice-President of the Government and Minister of Economy and Finance

### France:

Ms Christine LAGARDE

Minister for Economic Affairs, Finance and Employment

### Italy:

Mr Giulio TREMONTI

Minister for Economic Affairs and Finance

### Cyprus:

Mr Andreas MAVROYIANNIS

Permanent Representative

### Latvia:

Mr Einars REPŠE

Minister for Finance

### Lithuania:

Mr Rytis MARTIKONIS

Permanent Representative

### Luxembourg:

Mr Luc FRIEDEN

Minister for Justice, Minister for the Treasury and the Budget

### Hungary:

Mr Péter OSZKÓ

Minister for Finance

### Malta:

Mr Richard CACHIA CARUANA

Permanent Representative

### Netherlands:

Mr Wouter BOS

Minister for Finance, Deputy Prime Minister

### Austria:

Mr Josef PRÖLL

Vice Chancellor and Federal Minister for Finance

### Poland:

Mr Jan VINCENT-ROSTOWSKI

Minister for Finance

### Portugal:

Mr Manuel LOBO ANTUNES

Permanent Representative

**Romania:**

Mr Gheorghe POGEA

Minister for Public Finance

**Slovenia:**

Mr Franc KRIŽANIČ

Minister for Finance

**Slovakia:**

Mr Ján POČIATEK

Minister for Finance

**Finland:**

Mr Jyrki KATAINEN

Deputy Prime Minister, Minister for Finance

**Sweden:**

Mr Anders BORG

Minister for Finance

**United Kingdom:**

Mr Stephen TIMMS

Financial Secretary to the Treasury

**Commission:**

Mr Joaquín ALMUNIA

Member

Mr László KOVÁCS

Member

Mr Charlie MCCREEVY

Member

**Other participants:**

Mr Philippe MAYSTADT

President of the European Investment Bank

Mr Thomas WIESER

President of the Economic and Financial Committee

Mr Christian KASTROP

Chairman of the Economic Policy Committee

**ITEMS DEBATED****ECONOMIC AND FINANCIAL SITUATION**

The Council held an exchange of views on the economic situation and the latest developments on financial markets.

It took note of the Commission's spring economic forecasts, published on 4 May, broadly sharing the Commission's analysis of the situation.

The Commission's spring forecasts indicate a substantial downward revision of prospects for economic growth this year and next compared to interim forecasts it issued in January.

The president of the Council also reported on a meeting of G-20 finance ministers and central bank governors held in the margins of the World Bank and International Monetary Fund spring meetings in Washington on 25 and 26 April.

## **LENDING TO MEMBER STATES IN FINANCIAL DIFFICULTY**

The Council reached political agreement, in accordance with the conclusions of the European Council's meeting on 20 March, on a draft regulation aimed at raising the ceiling for lending under the EU's support facility for non euro-area member states in financial difficulty (*doc.* [9129/09](#)).

It will adopt the regulation at a forthcoming meeting without further discussion, once the text has been finalised.

The text provides for an amendment to regulation 332/2002, on which the EU's financial support facility is based, raising the ceiling for lending from EUR 25 billion to EUR 50 billion, in the light of the economic and financial crisis. The increase is intended to cater for potential demand from non euro-area member states for medium-term support for their balances of payments.

In this context, the Council also agreed to provide medium-term assistance to Romania.

The support facility was recently used for the first time to provide medium-term assistance to Hungary (*see press release* [15103/08](#)), and subsequently to Latvia ([5498/09](#)), as part of broader assistance from the International Monetary Fund and other creditors. The ceiling for lending has already been raised once, from EUR 12 billion to EUR 25 billion ([16565/1/08 REV 1](#)).

**QUALITY AND SUSTAINABILITY OF PUBLIC FINANCES - Council conclusions**

The Council took note of the presentation by the Commission of a communication on the impact in times of economic crisis of ageing populations ([9200/09](#)), and of the "2009 Ageing Report", a joint report from the Commission and the Economic Policy Committee providing an update of age-related expenditure projections for the 27 member states over the 2008-60 period (*doc.* [9199/09](#)).

It adopted the conclusions set out in [8818/09](#).

## **DIALOGUE WITH THIRD COUNTRIES ON ECONOMIC AND FINANCIAL ISSUES**

The Council was briefed by the Commission on progress in its dialogues with the EU's main international partners – notably the United States, Japan, China and Russia – as regards macroeconomic issues and financial services.

It held an exchange of views on priorities for the near future.

## **EXCISE DUTIES ON TOBACCO PRODUCTS**

The Council examined a draft directive aimed at updating EU rules on the structure and rates of excise duties on tobacco products.

The draft directive is intended to modernise and simplify the existing rules, whilst making them more transparent. In particular, it is aimed at bringing minimum excise duties for fine-cut tobacco gradually closer to those for cigarettes.

The text is also aimed at ensuring a higher level of public health protection by raising minimum rates for tobacco products.

The Council requested the Permanent Representative Committee to examine further the draft directive, on the basis of progress made by ministers, so as to enable it to reach an agreement at one of its forthcoming sessions.

## **GOOD GOVERNANCE IN TAX MATTERS**<sup>1</sup>

The Council:

- took note of the presentation by the Commission of a communication on the promotion of good governance in tax matters (doc. [9281/09](#));
- was briefed by the Commission on progress in the negotiation of an agreement with Liechtenstein on measures to combat tax fraud.

It agreed to return to the issue at its meeting on 9 June in the light of further developments.

The Commission's communication reviews the issue of good governance in tax matters (international tax cooperation and common standards) in the context of the economic and financial crisis and recent meetings of the G-20.

It examines, with regard to direct taxation:

- how good governance in tax matters could be improved within the EU;
- the instruments that the Community and member states have at their disposal to promote good governance internationally; and
- the scope for more coordinated action by the member states, so as to support, streamline and complement action taken in international fora such as the OECD and the UN.

In its communication, the Commission proposes to speed up work on the review of directives on administrative cooperation between member states, on mutual assistance in the recovery of taxes and on the taxation of savings, whilst continuing to give priority to eliminating harmful tax practices. It also proposes to include good governance clauses in EU agreements with third countries.

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**EU BUDGET - PRELIMINARY DRAFT BUDGET FOR 2010**

The Council took note of the presentation by the Commission of its preliminary draft for the EU's general budget for 2010.

It asked the Permanent Representatives Committee to examine the draft with a view to enabling the Council, at its meeting on 10 July, to establish a draft budget at first reading. On 10 March, The Council set out principles for preparation of the 2010 budget (*doc.* [6767/09](#)).

In its preliminary draft budget, the Commission proposes a total of EUR 138.6 billion in commitment appropriations (+1.5% compared with 2009) and EUR 122.3 billion in payment appropriations (+5.3% compared with 2009). Commitment appropriations represent 1.18% of EU gross national income, and payment appropriations amount to 1.04%.

The Commission places economic recovery at the heart of spending in 2010, channelling the biggest share of funds (45%) into growth and employment measures to help restore competitiveness throughout the EU. It also proposes to increase fundings for major programmes linked to research and energy policy by more than 12%, and to increase amounts allocated to economic and social cohesion.

**OTHER BUSINESS**

The Council took note of progress on the following financial services dossiers:

- ***Solvency requirements for insurance companies*** (draft "Solvency II" directive)
- ***Credit rating agencies*** (draft regulation)
- ***Electronic money*** (draft directive)
- ***Cross-border payments in the EU*** (draft regulation)

On all four dossiers, the presidency has reached agreement with the European Parliament in first reading, enabling adoption by the Council at a forthcoming meeting, once the texts have been finalised.

## MEETINGS IN THE MARGINS OF THE COUNCIL

The following meetings were held in the margins of the Council:

– *Eurogroup*

Ministers of the euro area member states attended a meeting of the eurogroup on 4 May.

– *Ministerial dialogue with the EU candidate countries*

Ministers held their annual economic policy dialogue with the finance ministers and central bank representatives of the EU candidate countries: Turkey, Croatia and the former Yugoslav republic of Macedonia.

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Over lunch, ministers discussed preparations for the summit of the social troika on employment<sup>1</sup>, to be held in Prague on 7 May, approving a contribution on the economic aspects to be forwarded to the president of the European Council.

They also discussed work on strengthening the regulation and supervision of financial institutions, on the basis of the recommendations of a high-level reflection group chaired by Jacques de Larosière<sup>2</sup>, in the run-up to the European Council meeting scheduled for 18 and 19 June. The Council will prepare this item for the European Council at its session on 9 June.

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<sup>1</sup> Presidency troika (prime ministers and employment ministers), Commission, European social partners and platform of European social NGOs.

<sup>2</sup> Former managing director of the International Monetary Fund.

## **OTHER ITEMS APPROVED**

### **ECONOMIC AND FINANCIAL AFFAIRS**

#### **Reduced VAT rates**

The Council adopted a directive allowing – on a permanent basis – the optional use of reduced rates of value-added tax (VAT) for certain labour-intensive local services, including restaurant services, for which there is no risk of unfair competition between service providers in different member states.

Adoption of the directive follows political agreement reached at the Council's meeting on 10 March. The optional use of reduced VAT rates in certain sectors is one of the actions identified by the economic recovery plan approved by the European Council in December.

EU rules on VAT rates, set by directive 2006/112/EC, require member states to apply a minimum 15 % standard rate to most goods and services. Member states are however allowed to apply one or two reduced VAT rates to a limited number of supplies. Where a reduced rate is allowed, this must amount to at least 5 % of the value of the supply.

The current rules are the outcome of a variety of initiatives over the years, including the 1992 decision on the harmonisation of VAT rates in the context of the EU single market, a 2000 decision to allow reduced VAT rates on labour-intensive local services with a view to stimulating employment, and derogations allowed in 2004 for newly acceding member states.

Reduced rates on labour-intensive local services have so far only been allowed on a temporary basis.

Under the directive adopted by the Council, member states that so wish may apply reduced VAT rates, on a permanent basis, to:

- the following labour-intensive local services:
  - minor repairs of bicycles, shoes and leather goods, clothing and household linen (including mending and alteration);
  - window cleaning and cleaning in private households;
  - domestic care services such as home help and care of the young, elderly, sick or disabled;
  - hairdressing;
  - the renovation and repair of private dwellings, excluding materials which account for a significant part of the value of the service supplied;
- restaurant and catering services;
- books, on all physical means of support.

In addition, Portugal may apply a reduced VAT rate to tolls on bridges in the Lisbon area, Cyprus is allowed to apply a reduced VAT rate to the supply of liquid petroleum gas in cylinders, and Malta may maintain a zero VAT rate for the supply of foodstuffs and pharmaceuticals.

The directive will enter into force on the first day of the month following that of its publication in the Official Journal.

### **VAT derogation for the United Kingdom**

The Council adopted, in accordance with a political agreement reached at its meeting on 10 March, a decision extending until 30 April 2011 a derogation granted to the United Kingdom as regards the payment of value-added tax (VAT) on certain high-value electronic goods.

The measure is aimed at closing off certain forms of tax fraud, in particular so-called "carousel" schemes whereby goods are traded several times by different suppliers without VAT being paid to the tax authorities.

The derogation is applicable to supplies of mobile phones and integrated circuit devices, provided that the taxable amount of the supply is equal to, or higher than, GBP 5 000. Applying a "reverse charge" principle, the derogation allows liability for the payment of VAT to be shifted from the supplier (as normally required by EU rules) to the taxable entity to whom the supplies are provided.

### **Five years after EU enlargement - Council conclusions**

The Council adopted the following conclusions:

"Marking the fifth anniversary of the largest recent enlargement the Council WELCOMES the Commission report called "Five years of an enlarged EU: Economic achievements and challenges" and agrees with its overall assessment.

#### Enlargement has brought economic growth and increased prosperity

The Council (ECOFIN) EMPHASISES that the recent EU enlargement was not only a historic step in unifying a long-divided Europe but also a success from an economic point of view resulting in a win-win situation for the whole EU. Enlargement has brought about notable improvements in living standards and increased economic growth, which benefited from better trade, investment and employment opportunities, as well as stronger financial integration. The Council (ECOFIN) UNDERLINES that enlargement has contributed to the improved ability of the EU economy as a whole to respond to the challenges posed by the current economic and financial crisis as well as to those presented by globalisation.

There has been remarkable economic integration and real convergence of the recently acceded Member States. Therefore, the Council (ECOFIN) RECOGNISES that dividing the Member States between "old" and "new" has lost its meaning.

### More steps needed to reap full benefits of the enlarged EU

The Council (ECOFIN) EMPHASISES that the current financial and economic crisis has confirmed the crucial importance of sound macroeconomic and structural policies. Central aspects include a proper institutional setup at domestic level, including sound fiscal frameworks, as well as the implementation of existing EU policy framework, such as the Single Market, the Stability and Growth Pact and the Lisbon Strategy. In addition, the enlargement has highlighted the role of the financial sector in the convergence process and the need for stronger cross-border cooperation in financial supervision and for a better monitoring of macro-financial risks to prevent the building up of vulnerabilities. The build up of significant imbalances and fundamental vulnerabilities related to foreign currency indebtedness, persistently high fiscal deficits and lack of sustainability or persisting current account deficits have increased the sensitivity to external shocks. More generally, achievements have not been uniform and equally sustainable among countries. In this respect, the Council (ECOFIN) STRESSES the necessity to further strengthen domestic policies as well as the implementation of the EU policy frameworks and its prudential elements, re-energise structural reform efforts in line with the Lisbon Strategy, improve financial supervision and strengthen the effectiveness of multilateral surveillance and economic coordination at EU-level.

Moreover, the Council (ECOFIN) HIGHLIGHTS that reforms under the Lisbon agenda are crucial to underpin the economic recovery, strengthen resilience and fully exploit the potential of the enlarged internal market. The remaining barriers in the Single Market should be tackled and protectionist tendencies need to be rejected. "

### **COHESION POLICY**

#### **Facilitated access to European Social Fund**

The Council adopted a regulation facilitating access to grants co-financed by the European Social Fund (ESF) in order to mitigate the social impact of the financial crisis ([3618/09](#)).

The main objective of the new regulation is to simplify the management, administration and control of ESF operations by simplifying the justification of indirect costs (i.e. costs which are not directly linked to the project, but which are necessary for its implementation, such as phone or electricity costs) and reducing the workload and number of supporting documents required to justify expenditure.

In accordance with the recommendations of the European Court of Auditors<sup>1</sup> and following a first reading agreement with the European Parliament, the Council decided to extend the scope of the ESF regulation to three additional forms of eligible costs:

- indirect costs, declared on a flat-rate basis, of up to 20% of the direct costs of an operation;
- flat-rate costs calculated by the application of standard scales of unit cost as defined by the member states;
- lump sums to cover all or part of the costs of an operation, within a limit of EUR 50 000.

Currently, the reimbursement of ESF expenditure is based on the "real cost" principle. This means that EUR 1 of grant must correspond to at least EUR 1 of justified paid expenditure. The justification of expenditure is based on invoices and other accounting documents showing what has actually been done; this can easily amount to hundreds of documents. Furthermore, all supporting documents must be kept available for three years after the closure of the programme.

The new rules, which form a part of the recovery package<sup>2</sup>, will apply retroactively from 1 August 2006.

### **Energy efficiency and renewable energy investments in housing**

The Council adopted a regulation making energy efficiency improvements and renewable energy schemes eligible for support from the European Regional Development Fund (ERDF) in all member states, following a first reading agreement with the European Parliament ([3619/09](#)). The new regulation, which forms a part of the European Economic Recovery Plan<sup>3</sup>, also provides easier access to grants co-financed by the ERDF.

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<sup>1</sup> Made in its 2007 annual report (<http://eca.europa.eu/portal/pls/portal/docs/1/1569525.PDF>).

<sup>2</sup> The other two parts in the field of Cohesion Policy aim at accelerating the spending of EU structural funds ([8585/09](#)) and at a greater support to energy efficiency and renewable energy investments in housing ([9467/09](#)).

<sup>3</sup> The other two parts in the field of Cohesion Policy aim at accelerating the spending of EU structural funds ([8585/09](#)) and at facilitating access to grants co-financed by the European Social Fund (ESF) ([9456/09](#)).

The main objective of the new regulation is to increase the share of energy-efficiency investment and to simplify the management, administration and control of ERDF operations by simplifying the justification of indirect costs (i.e. costs which are not directly linked to the project, but which are necessary for its implementation such as phone or electricity costs) and reducing the workload and number of supporting documents required to justify expenditure.

The new regulation provides that expenditure on energy efficiency improvements and on the use of renewable energy in existing housing is eligible, up to 4% of the total ERDF allocation (i.e. overall up to EUR 8.0 billion). Currently, the ERDF supports interventions in the housing sector, including energy efficiency, only in favour of the twelve member states which have acceded to the EU since 1 May 2004, up to a level of 2% of the total ERDF allocation.

In accordance with the recommendations of the European Court of Auditors<sup>1</sup>, the regulation extends the scope of the ERDF regulation to three additional forms of eligible costs:

- indirect costs, declared on a flat-rate basis, of up to 20% of the direct costs of an operation;
- flat-rate costs calculated by the application of standard scales of unit cost as defined by the member states;
- lump sums to cover all or part of the costs of an operation, within a limit of EUR 50 000.

Currently, the reimbursement of ERDF expenditure is based on the "real cost" principle. This means that EUR 1 of grant must correspond to at least EUR 1 of justified paid expenditure. The justification of expenditure is based on invoices and other accounting documents showing what has actually been done; this can easily amount to hundreds of documents. Furthermore, all supporting documents must be kept available for three years after the closure of the programme.

The new rules concerning the facilitating of the access to grants co-financed by the ERDF will apply retroactively from 1 August 2006, while energy efficiency improvements and renewable energy investments in housing shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

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<sup>1</sup> Made in its 2007 annual report (<http://eca.europa.eu/portal/pls/portal/docs/1/1569525.PDF>)

**EXTERNAL RELATIONS****Latin America - Ministerial meetings**

The Council took note of preparations for six bi-regional ministerial meetings to be held in Prague:

- EU-Rio Group ministerial meeting: 13-14 May
- EU-Chile Association Council: 13 May
- EU-Mexico Joint Council: 14 May
- EU-Andean Community ministerial meeting: 14 May
- EU-Mercosur ministerial meeting: 14 May
- EU-Central America ministerial meeting: 14 May.

**DEVELOPMENT POLICY****EU/SADC states - Economic partnership agreement**

The Council adopted a decision approving the signing and provisional application of an interim agreement with a view to an economic partnership agreement with the Southern African Development Community states Botswana, Lesotho, Mozambique, Namibia and Swaziland ([14062/08](#)).

The objectives of this agreement are to:

- contribute to the reduction and eventual eradication of poverty through the establishment of a trade partnership consistent with the objective of sustainable development, the UN's millennium development goals and the ACP-EU partnership agreement;
- promote regional integration, economic cooperation and good governance thus establishing and implementing an effective, predictable and transparent regional regulatory framework for trade and investment between the parties and among the SADC EPA states;
- promote the gradual integration of the SADC EPA states into the world economy, in conformity with their political choices and development priorities.

## **TRADE POLICY**

### **Dual-use items**

The Council adopted a regulation setting up a Community regime for the control of exports, transfer, brokering and transit of dual use items ([7815/09](#), [7815/09 COR1](#)).

The regulation, which replaces regulation (EC) No 1334/2000, is aimed at strengthening and improving the EU's dual-use export control regime. It takes into account the recommendations of the 2004 peer review of all member states' and acceding countries' export controls and the results of a subsequent impact assessment study, as well as the EU's obligations under United Nations Security Council resolution 1540, adopted in 2004.

### **Anti-dumping - Wires and strands - China**

The Council adopted a regulation imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain pre- and post-stressing wires and wire strands of non-alloy steel (PSC wires and strands) originating in China ([8684/09](#)).

## **TRANSPORT**

### **EU/Mexico - Agreement on air services**

The Council adopted a decision approving the signing of an agreement with Mexico on certain aspects of air services.

The agreement is the result of negotiations conducted under a mandate granted by the Council in 2003 whereby the Commission can negotiate with any third country with a view to bringing member states' bilateral aviation agreements with that country into line with Community law.

## **INTERNAL MARKET**

### **Approval system for motor vehicles**

The Council adopted a decision aimed at enabling the accession of the European Community to the United Nations Economic Commission for Europe (UN/ECE ) regulation 61 on uniform provisions for the approval of commercial vehicles with regard to their external projections forward of the cab's rear panel ([7240/09](#)).

The standard requirements of UN/ECE regulation 61 are intended to remove technical barriers to trade in motor vehicles and ensure a high level of safety and protection for use of such vehicles. The regulation will be incorporated into EU legislation on the approval system for motor vehicles.

## **CONSUMER PROTECTION**

### **EU/US cooperation agreement**

The Council adopted a decision authorising the Commission to open negotiations with the United States on an agreement on cooperation in the enforcement of consumer protection laws.

**AGRICULTURE**

**Simpler procedures in the veterinary and zootechnical fields**

The Council adopted a decision concerning the simplification of procedures for listing and publishing information in the veterinary and zootechnical fields ([7761/09](#)).

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