



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 10 February 2010

5499/10

LIMITE

PV/CONS	3
ECOFIN	34

DRAFT MINUTES

Subject : **2990th** meeting of the Council of the European Union (**ECONOMIC and FINANCIAL AFFAIRS**), held in Brussels on 19 January 2010

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¹ Public debate pursuant to Article 8 of the Council's Rules of Procedure.

1. **Adoption of the agenda**
5311/10 OJ/CONS 2 ECOFIN 19

The Council adopted the above-mentioned agenda.

LEGISLATIVE DELIBERATIONS

2. **Approval of the list of "A" items**
5313/10 PTS A 4

Document 5313/10 was cancelled and the "A" items listed in it were transferred to 5312/1/10 REV 1 (non-legislative activities).

3. **Taxation**

- (a) **Savings Tax Directive**
= Political agreement
16473/1/09 REV 1 FISC 170
+ REV 1 COR 1
+ REV 1 COR 2 (pl)
+ REV 1 ADD 1
- (b) **Recovery Directive**
= General approach
16466/1/09 REV 1 FISC 169 UD 254 AGRIFIN 108 SOC 730
- (c) **Directive on administrative cooperation in the field of taxation**
= General approach
16304/09 FISC 166
+ COR 1 (et)

After an exchange of views the Council agreed:

- a general approach on the text of the Recovery Directive (as outlined in 5531/10 FISC 5 UD 18 AGRIFIN 3 SOC 30);

- to continue work on the Savings Tax Directive and the Directive on administrative cooperation in the field of taxation, with a view to rapidly finding solutions for the few outstanding issues, so that these Directives can be formally adopted in one of the future meetings of the Council.

Belgium could agree further work on the savings tax and administrative cooperation directives on the understanding that exchange of information mechanisms would be improved and that there would be no step back from existing standards.

NON-LEGISLATIVE ACTIVITIES

4. Approval of the list of "A" items
5312/1/10 PTS A 3 REV 1

The Council approved the "A" items as listed in 5312/1/10 REV 1.

5. Presentation of the Presidency work programme¹
5036/10 ECOFIN 5

The Council took note of the presentation of the Presidency's work programme in the field of economic and financial affairs.

¹ Public debate pursuant to Article 8 of the Council's Rules of Procedure.

6. **Taxation**

- **Anti-fraud agreements with third countries**
 - Draft anti-fraud agreement with Liechtenstein
 - = General approach
16990/1/09 REV 1 AELE 41 FL 28 FISC 180 GAF 13 JAI 899
UD 266
16989/09 AELE 40 FL 27 FISC 179 GAF 12 JAI 898 UD 265
 - Negotiating directives for the conclusion of anti-fraud agreements with other third countries
 - = Adoption
16308/09 FISC 167 AND 5 CH 46 MC 5 SM 8 **RESTREINT UE**
+ EXT 1

The Council had a brief exchange of views on the draft anti-fraud agreement with Liechtenstein and the negotiating directives for anti-fraud agreements with other third countries. The Council agreed that the Presidency will work towards finding solutions for the outstanding issues as regards these two files with a view to reaching an agreement in one of the future meetings of the Council.

7. **Statistics: Eurostat report**

- = Council conclusions
 - 5175/10 ECOFIN 11 UEM 3 STATIS 3
+ ADD 1 to 6
 - 5223/10 ECOFIN 12 UEM 4 STATIS 4

The Council adopted the Conclusions as set out in 5530/10.

8. Any Other Business

The President of the Council (ECOFIN) paid tribute to Franz-Hermann Brüner, the Director General of OLAF, who had recently passed away. The President mentioned that Mr Brüner had played an important role in setting up OLAF after its establishment in 1999. The Council (ECOFIN) worked with him and appreciated his outstanding knowledge and extensive experience in the fight against fraud, and wanted to honour his memory.
