
EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2011)1981 final

Brussels, 7 December 2011

MINUTES

of the 1981st meeting of the Commission held in Brussels (Berlaymont) on Wednesday 30 November 2011 (morning)

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Single sitting: Wednesday 30 November 2011 (morning)

The sitting opened at 9.40 with Mr BARROSO, President, in the chair.

Present:

Mr BARROSO President

High Representative/ Vice-President **Baroness ASHTON** Item 20 (in part)

Vice-President Ms REDING Ms KROES Vice-President Mr TAJANI Vice-President

Mr ŠEFČOVIČ Vice-President Items 1 to 20 (in part)

Mr POTOČNIK Member Ms VASSILIOU Member Mr ŠEMETA Member Mr DALLI Member

Ms GEOGHEGAN-QUINN Member Items 1 to 20 (in part) Mr LEWANDOWSKI Member Items 1 to 20 (in part)

Ms DAMANAKI Member Ms GEORGIEVA Member Mr OETTINGER Member Mr HAHN Member Ms HEDEGAARD Member Mr FÜLE Member Mr ANDOR Member Ms MALMSTRÖM Member Mr CIOLOŞ Member

Absent:

Mr ALMUNIA Vice-President
Mr KALLAS Vice-President
Mr REHN Vice-President

Mr PIEBALGS Member
Mr BARNIER Member
Mr DE GUCHT Member

The following sat in to represent absent Members of the Commission:

Mr MARTÍNEZ MONGAY Chef de cabinet to Mr ALMUNIA

Mr FITCH Deputy Chef de cabinet to Mr KALLAS

Mr PESONEN Chef de cabinet to Mr REHN

Ms ARNOULD A member of Mr PIEBALGS's staff

Mr GUERSENT Chef de cabinet to Mr BARNIER

Mr HOFFMEISTER Deputy Chef de cabinet to

Mr DE GUCHT

The following also sat in:

Mr LAITENBERGER Chef de cabinet to the PRESIDENT

Mr ROMERO REQUENA Director-General, Legal Service

Mr VANDERSTEEN Acting Director-General,

DG Communication

Mr DOENS Head of the Commission Spokesperson

Service

Ms AHRENKILDE HANSEN Commission Spokeswoman

Mr THEBAULT Head of the Bureau of European Policy Items 1 to 20 (in part)

Advisers

Mr SCHINAS Bureau of European Policy Advisers Item 20 (in part)

Ms SUTTON A member of the PRESIDENT's staff

Mr MORRISON Chef de cabinet to Baroness ASHTON Items 1 to 20 (in part)

Mr BANNERMAN Adviser in Baroness ASHTON's Office Item 20 (in part)

Mr NOCIAR Chef de cabinet to Mr ŠEFČOVIČ Item 20 (in part)

Secretary: Ms DAY, Secretary-General, assisted by Mr AYET PUIGARNAU, Director in the Secretariat-General.

1. AGENDAS

(OJ(2011)1981/3; SEC(2011)1419/2)

The Commission took note of that day's agenda and of the tentative agendas for forthcoming meetings.

2. WEEKLY MEETING OF CHEFS DE CABINET (RCC(2011)1981)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 28 November.

3. APPROVAL OF MINUTES AND SPECIAL MINUTES OF 1980TH MEETING (23 NOVEMBER)

(PV(2011)1980; PV(2011)1980, PART II)

The Commission approved the minutes of its 1980th meeting.

4. INTERINSTITUTIONAL RELATIONS (RCC(2011)1019)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group held on Friday 25 November (RCC(2011)1019).

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

i) Ordinary legislative procedure

(point 1.2 of the IRG record)

Dossiers at Parliament first reading

Amendment of Council Regulation (EC)1234/2007 as regards contractual relations in the milk and milk products sector (Regulation) – NICHOLSON report – 2010/0362 (COD)

The Commission approved the line set out in SP(2011)439 and /2.

Patent package – Enhanced cooperation in the area of the creation of unitary patent protection (Regulation) – RAPKAY report – 2011/0093 (COD) / Enhanced cooperation in the area of the creation of unitary patent protection with regard to the applicable translation arrangements (Council Regulation) – BALDASSARRE report – 2011/0094 (CNS) / Draft agreement on the European and Community Patents Court (Council document 7928/09) – LEHNE report

The Commission approved the line set out in SI(2011)445/2.

Amendment of Regulation (EC)883/2004 on the coordination of social security systems and Regulation (EC)987/2009 laying down the procedure for implementing Regulation (EC)883/2004 (Regulation) – CABRNOCH report – 2010/0380 (COD)

The Commission approved the line set out in SI(2011)446.

Dossiers at Council first reading

Establishment of a single European railway area (Directive – recast) –
 SERRACCHIANI report – 2010/0253 (COD)

The Commission approved the line set out in SI(2011)440/2.

Amendment, as regards information to the general public on medicinal products for human use subject to medical prescription, of Regulation (EC)726/2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency (Regulation) / Amendment,

as regards information to the general public on medicinal products subject to medical prescription, of Directive 2001/83/EC on the Community code relating to medicinal products for human use (Directive) – FJELLNER report – 2008/0255 (COD) and 2008/0256 (COD)

The Commission approved the line set out in SI(2011)442/2.

Dossiers at second reading

Waste electrical and electronic equipment (WEEE) (Directive – recast) –
 FLORENZ report – 2008/0241 (COD)

The Commission approved the line set out in SI(2011)435/2.

Placing on the market and use of biocidal products (Regulation) –
 KLASS report – 2009/0076 (COD)

The Commission approved the line set out in SI(2011)441.

ii) Preparation of the November II part-session of Parliament (point 1.3 of the IRG record)

Ordinary legislative procedure – first reading

Statistical returns in respect of the carriage of goods by road (Regulation – recast) – SIMPSON report – 2010/0258 (COD)

The Commission approved the line set out in SP(2011)8661.

Amendment of Council Regulation (EC)1083/2006 as regards repayable assistance and financial engineering (Regulation) – HÜBNER report – 2011/0210 (COD)

The Commission approved the line set out in SP(2011)8662, further to note SI(2011)346.

Amendment of Council Regulation (EC)1083/2006 as regards certain provisions relating to financial management for certain Members States experiencing or threatened with serious difficulties with respect to their financial stability (Regulation) – HÜBNER report – 2011/0211 (COD)

The Commission approved the line set out in SP(2011)8680, further to note SI(2011)398.

iii) Special legislative procedure

(point 1.4 of the IRG record)

 Draft general budget of the European Union for 2012 – BALZANI / FERNANDES report – 2011/2020 (BUD)

The Commission took note of note SI(2011)438.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iv) Programming of Council business

(SI(2011)443)

The Commission took note of the information in SI(2011)443 on the Council meetings between 1 and 14 December.

4.3. RELATIONS WITH PARLIAMENT

v) Presence of Members of the Commission on Thursday afternoons during Parliament's part-sessions in Strasbourg in 2012

(point 3.7 of the IRG record)

The Commission approved document SP(2011)8299/3 setting out the list of Commission Members to be present on Thursday afternoons during Parliament's part-sessions in Strasbourg in 2012.

It was also noted that SP(2011)8299/3 cancelled and replaced SP(2011)8299/2, which had been approved by the Commission at its meeting on 15 November.

4.4. EXTERNAL RELATIONS

vi) Creation of the European Endowment for Democracy (EED) (point 5 of the IRG record)

The Commission took note of Mr FÜLE's intention of signing the political declaration on the creation of the European Endowment for Democracy on 1 December, if appropriate.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED (SEC(2011)1420 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 21 and 25 November.

5.2. EMPOWERMENT

(SEC(2011)1421 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 21 and 25 November.

5.3. DELEGATION AND SUBDELEGATION OF POWERS (SEC(2011)1422 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 21 and 25 November, as archived in e-Greffe.

5.4. SENSITIVE WRITTEN PROCEDURES (SEC(2011)1423 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 28 November and 2 December and of the 'finalisation' written procedures initiated following the weekly meeting of Chefs de cabinet on 28 November.

5.5. GENERAL EMPOWERMENT RELATING TO THE MANAGEMENT OF THE INTERNAL MARKET IN ELECTRICITY AND GAS (C(2011)8811)

The Commission granted the general empowerment set out in C(2011)8811 to the Member of the Commission responsible for energy for the adoption, on behalf of the Commission and under its responsibility, of certain decisions relating to the management of the internal market in electricity and gas.

6. COMMUNICATION FROM THE COMMISSION TO PARLIAMENT, THE COUNCIL, THE COURT OF AUDITORS, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – 'HORIZON 2020' – THE FRAMEWORK PROGRAMME FOR RESEARCH AND INNOVATION

(COM(2011)808 TO /3; SEC(2011)1427 AND /2; SEC(2011)1428 AND /2; SEC(2011)1429; RCC(2011)1010; RCC(2011)1021; RCC(2011)1029)

The Commission approved the Communication in COM(2011)808/3, for transmission to Parliament, the Council, the Court of Auditors, the Economic and Social Committee and the Committee of the Regions, and, for information, to the national parliaments, accompanied by the impact assessment and the summary thereof in SEC(2011)1427 and /2, and SEC(2011)1428 and /2 respectively, the contents of which were noted.

It also took note of the opinion of the Impact Assessment Board on the above Communication, as set out in SEC(2011)1429.

7. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON 'HORIZON 2020' – THE FRAMEWORK PROGRAMME FOR RESEARCH AND INNOVATION (2014-2020) (COM(2011)809 TO /3; SEC(2011)1427 AND /2; SEC(2011)1428 AND /2; SEC(2011)1429; RCC(2011)1010; RCC(2011)1021; RCC(2011)1029)

The Commission adopted the proposal for a Regulation in COM(2011)809/3, for transmission to Parliament, the Council, the Court of Auditors, the Economic and Social Committee, the Committee of the Regions and the national parliaments, together with the impact assessment and the summary thereof in staff working papers SEC(2011)1427 and /2, and SEC(2011)1428 and /2, the contents of which were noted.

It also took note of the opinion of the Impact Assessment Board on the above proposal for a Regulation, as set out in SEC(2011)1429.

8. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL LAYING DOWN THE RULES FOR PARTICIPATION AND DISSEMINATION IN 'HORIZON 2020' – THE FRAMEWORK PROGRAMME FOR RESEARCH AND INNOVATION (2014-2020)

(COM(2011)810 TO /3; SEC(2011)1427 AND /2; SEC(2011)1428 AND /2; SEC(2011)1429; RCC(2011)1010; RCC(2011)1021; RCC(2011)1029)

The Commission adopted the proposal for a Regulation in COM(2011)810/3, for transmission to Parliament, the Council, the Court of Auditors, the Economic and Social Committee, the Committee of the Regions and the national parliaments, together with the impact assessment and the summary thereof in staff working papers SEC(2011)1427 and /2, and SEC(2011)1428 and /2, the contents of which were noted.

It also took note of the opinion of the Impact Assessment Board on the above proposal for a Regulation, as set out in SEC(2011)1429.

9. PROPOSAL FOR A COUNCIL DECISION ESTABLISHING THE SPECIFIC PROGRAMME IMPLEMENTING 'HORIZON 2020' – THE FRAMEWORK PROGRAMME FOR RESEARCH AND INNOVATION (2014-2020)

(COM(2011)811 TO /3; SEC(2011)1427 AND /2; SEC(2011)1428 AND /2; SEC(2011)1429; RCC(2011)1010; RCC(2011)1021; RCC(2011)1029)

The Commission adopted the proposal for a Council Decision in COM(2011)811/3, for transmission to Parliament, the Council, the Court of Auditors, the Economic and Social Committee, the Committee of the Regions and the national parliaments, together with the impact assessment and the summary thereof in staff working papers SEC(2011)1427 and /2, and SEC(2011)1428 and /2, the contents of which were noted.

It also took note of the opinion of the Impact Assessment Board on the above proposal for a Council Decision, as set out in SEC(2011)1429.

10. PROPOSAL FOR A COUNCIL REGULATION ON THE RESEARCH AND TRAINING PROGRAMME OF THE EUROPEAN ATOMIC ENERGY COMMUNITY (2014-2018) COMPLEMENTING 'HORIZON 2020' – THE FRAMEWORK PROGRAMME FOR RESEARCH AND INNOVATION (COM(2011)812 TO /3; SEC(2011)1427 AND /2; SEC(2011)1428 AND /2; SEC(2011)1429; RCC(2011)1010; RCC(2011)1021; RCC(2011)1029)

The Commission adopted the proposal for a Council Regulation in COM(2011)812/3, for transmission to Parliament, the Council, the Court of Auditors, the Economic and Social Committee and the Committee of the Regions,

and, for information, to the national parliaments, together with the impact assessment and the summary thereof in staff working papers SEC(2011)1427 and /2, and SEC(2011)1428 and /2, the contents of which were noted.

It also took note of the opinion of the Impact Assessment Board on the above proposal for a Council Regulation, as set out in SEC(2011)1429.

11. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ESTABLISHING A PROGRAMME FOR THE COMPETITIVENESS OF ENTERPRISES AND SMALL AND MEDIUM-SIZED ENTERPRISES (2014-2020)

(COM(2011)834 TO (3) SEC(2011)1453; SEC(2011)1453; SEC(2011)1454;

(COM(2011)834 TO /3; SEC(2011)1452; SEC(2011)1453; SEC(2011)1454; RCC(2011)1026)

The Commission adopted the proposal for a Regulation in COM(2011)834/3, for transmission to Parliament, the Council, the Economic and Social Committee, the Committee of the Regions and the national parliaments, together with the impact assessment and the summary thereof in staff working papers SEC(2011)1452 and SEC(2011)1453, the contents of which were noted.

It also took note of the opinion of the Impact Assessment Board on the above proposal for a Regulation, as set out in SEC(2011)1454.

12. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON THE IMPLEMENTATION AND EXPLOITATION OF EUROPEAN SATELLITE NAVIGATION SYSTEMS (COM(2011)814 TO /4; SEC(2011)1446; SEC(2011)1447; SEC(2011)1492; RCC(2011)1030)

The Commission adopted the proposal for a Regulation in COM(2011)814/4, for transmission to Parliament, the Council, the Economic and Social Committee, the

Committee of the Regions and the national parliaments, together with the impact assessment and the summary thereof in staff working papers SEC(2011)1446 and SEC(2011)1447, the contents of which were noted.

It also took note of the opinion of the Impact Assessment Board on the above proposal for a Regulation, as set out in SEC(2011)1492.

13. COMMUNICATION FROM THE COMMISSION TO PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS ON THE EUROPEAN EARTH MONITORING PROGRAMME (GMES) AND ITS OPERATIONS (FROM 2014 ONWARDS)

(COM(2011)831 AND /2; SEC(2011)1458; RCC(2011)1030)

The Commission approved the Communication in COM(2011)831/2, for transmission to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, and, for information, to the national parliaments.

- 14. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING REGULATION (EC)294/2008 ESTABLISHING THE EUROPEAN INSTITUTE OF INNOVATION AND TECHNOLOGY
 - (COM(2011)817 TO /4; SEC(2011)1433 AND /2; SEC(2011)1434 AND /2; SEC(2011)1435; RCC(2011)1023)
- 15. PROPOSAL FOR A DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON THE STRATEGIC INNOVATION AGENDA OF THE EUROPEAN INSTITUTE OF INNOVATION AND TECHNOLOGY (EIT) THE CONTRIBUTION OF THE EIT TO A MORE INNOVATIVE EUROPE

(COM(2011)822 TO /3; SEC(2011)1433 AND /2; SEC(2011)1434 AND /2; SEC(2011)1435; RCC(2011)1023)

16. COMMISSION OPINION ON THE INDEPENDENT EXPERT EVALUATION ON THE EUROPEAN INSTITUTE OF INNOVATION AND TECHNOLOGY

(COM(2011)816; RCC(2011)1023)

The Commission adopted the proposal for a Regulation and proposal for a Decision in COM(2011)817/4 and COM(2011)822/3 respectively, for transmission to Parliament, the Council, the Economic and Social Committee, the Committee of the Regions and the national parliaments, together with the impact assessment and the summary thereof in staff working papers SEC(2011)1433/2 and SEC(2011)1434/2, the contents of which were noted.

It also took note of the opinion of the Impact Assessment Board on the above proposal for a Regulation and proposal for a Decision, as set out in SEC(2011)1435.

The Commission also adopted the opinion in COM(2011)816, for transmission to Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, and, for information, to the national parliaments.

- 17. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON SPECIFIC REQUIREMENTS REGARDING STATUTORY AUDIT OF PUBLIC-INTEREST ENTITIES (COM(2011)779 TO /4; SEC(2011)1384 AND /2; SEC(2011)1385 AND /2; SEC(2011)1386); RCC(2011)1014; RCC(2011)1022)
- 18. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING DIRECTIVE 2006/43/EC ON STATUTORY AUDITS OF ANNUAL ACCOUNTS AND CONSOLIDATED ACCOUNTS

(COM(2011)778; SEC(2011)1384 AND /2; SEC(2011)1385 AND /2; SEC(2011)1386; RCC(2011)1014; RCC(2011)1022)

The Commission adopted the proposal for a Regulation and proposal for a Directive in COM(2011)779/4 and COM(2011)778 respectively, for transmission to Parliament, the Council, the Economic and Social Committee, the European Data Protection Supervisor, the European Central Bank and the national parliaments, together with the impact assessment and the summary thereof in staff working papers SEC(2011)1384/2 and SEC(2011)1385/2, the contents of which were noted.

It also took note of the opinion of the Impact Assessment Board on the above proposal for a Regulation and proposal for a Directive, as set out in SEC(2011)1386.

19. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2011)1424)

ADMINISTRATIVE MATTER

(PERS(2011)154)

SECRETARIAT-GENERAL / DG INFORMATICS – FOLLOW-UP TO THE COMMUNICATION TO THE COMMISSION 'GETTING THE BEST FROM INFORMATION TECHNOLOGIES IN THE COMMISSION' OF 7 OCTOBER 2010 – FIRST DECISIONS IN THE IT RATIONALISATION PROCESS

(SEC(2011)1500)

The PRESIDENT raised the matter of the process of rationalising IT investment within the Commission, introduced by a Communication in October 2010, stating that the time had come to endorse the first series of recommendations intended to economise on the human and financial resources devoted to the development and management of IT systems, while at the same time making them more coherent and more efficient. He stressed that in the current climate of austerity the Commission

must prove that it was making the best possible use of European taxpayers' money.

In his presentation, Mr ŠEFČOVIČ recalled the reasons leading to the launch in 2010 of a study on the Commission's situation with regard to IT, and the plethora of applications and different systems which existed side-by-side within the institution and the significant human and financial resources deployed to deal with them. He estimated that at this point approximately EUR 10 million could be saved over the period from 2011 to 2014 by rationalising and simplifying systems. He illustrated his remarks with the aid of a number of practical examples, which included websites, the management of official documents and the purchase of books.

He went on to explain the new governance which had now been introduced, stressing the fact that it would lead to closer cooperation between the directorates-general on the development and management of common IT tools and services.

He concluded his remarks by emphasising how ambitious the rationalisation process was, and that it required a change in working methods and a new mindset, since what was needed in the current economic climate was to do more and do it better with fewer resources. He called on the Members of the Commission to give their political support to this wide-ranging measure and asked them to move quickly to implement the recommendations presented that day in the departments for which they were responsible.

Ms REDING supported Mr ŠEFČOVIČ's remarks, pointing out that, as far as websites were concerned, the public tended to consult only a very small number of them. She suggested examining, together with the directorates-general, the sites that did not receive many visits, were not updated, or provided no real added value, with a view to removing the ones that could be dispensed with.

The PRESIDENT concluded by expressing the support of all the Members of the Commission for the important rationalisation exercise currently under way.

At the end of this presentation, the Commission, on a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT, decided:

- to endorse the Communication in SEC(2011)1500 establishing the working method and recommendations on the rationalisation of IT systems, including the roll out of the Infrastructure Consolidation project (ITIC) across all the DGs and services in the Commission;
- to instruct its services to implement these recommendations;
- to mandate the IT governance bodies to further develop the rationalisation strategy and to ensure the implementation of these recommendations by establishing a balanced timetable that allowed tangible results to be delivered during 2012.

These decisions would take effect immediately.

20. POLICY DEBATE AS PART OF THE PREPARATION OF THE EUROPEAN COUNCIL ON 8 AND 9 DECEMBER – REVISION OF THE TREATY

The PRESIDENT opened the policy debate on revision of the Treaty, as part of the preparation for the next European Council. He pointed out that the Commission had already discussed this topic in the past and had clearly stated its willingness to consider revising the Treaty if and when necessary, but that it had always stressed that such a revision could not be unconditional. He spelled out the key messages which the Commission must convey with a view to the revision of the Treaty and the conditions for the success of such an exercise.

The Commission then held an in-depth debate during which it discussed among other things the need to adopt a position on Treaty revision based on the general European interest and the need to make sure Member States were aware of their responsibilities in the short term.

The PRESIDENT thanked the speakers for their comments and contributions. He noted that the prevailing mood as regards any revision of the Treaty was one of scepticism, it being understood that the Commission could not stand in the way of a

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consensus among the Member States on the issue. However, he accepted that the political reality could not be ignored and this revision would make it possible to secure the agreement of all the Member States to other reforms connected with the current crisis, thereby creating the link between the short and the medium term.

Although the Commission could not oppose a decision which was ultimately the sole prerogative of the Member States, it could not absent itself from this debate and had a duty to communicate clearly with the general public on these issues and, at the same time, on the measures it had adopted and was proposing to strengthen the governance of the euro area.

He stressed the importance to the markets of a strong and unwavering commitment by the Member States to enhanced governance and felt that a Treaty revision alone would not be enough to restore confidence. The Commission would have to supervise the process closely to prevent any intergovernmental interpretation, and safeguard the Community method and maintain the balance between budgetary discipline and solidarity between Member States.

The PRESIDENT concluded by stressing the importance of adopting practical measures in the short term and pointing out that the Economic and Financial Affairs Council, at the meeting being attended by several Members of the Commission that day, was working specifically on implementing recent decisions based on Commission initiatives and aimed at enhancing European economic governance.

The Commission took note of this information and of the results of the policy debate.

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The Commission's other discussions on certain agenda items are recorded in the special minutes.

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The meeting closed at 11.59.