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CEEP: approval through written procedure – adoption of the CEEP mandate for negotiations of the new EU Social Partners Work programme

Communication sent for the attention of the members of the CEEP General Assembly (25/5/18)
copy to SAB members

Dear members,

Please be informed that the discussions amongst the EU Social Partners about a new pluriannual work programme made good progress despite the difficult context for the EU social dialogue. We are now ready to start negotiations of a new pluriannual Work Programme and the first meeting has been scheduled for **23 May**.

We submit for **approval by written procedure** the [CEEP draft mandate for negotiations](#). The draft builds on extensive discussions within the Social Affairs Board. Should you have any comments please send them to guillaume.afellat@ceep.eu by **16 May**. Should we receive no comments from you by the 16 May, we shall consider this final draft as adopted.

In parallel, we are launching the call for the appointment of **CEEP's negotiating team** through a specific message addressed to the Social Affairs Board with, in copy, the CEEP correspondents.

We thank you in advance for your cooperation in view of these negotiations which will be particularly important for the future of the EU Social Dialogue.

Kind Regards,

On behalf of Valeria Ronzitti, General Secretary

Manuela MATTIELLO, Office Manager

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CEEP Sustainability Board: Commission Publication of PSI Directive Review Proposal

Communication sent to members of the CEEP Sustainability Board (25/4/18):

Today, the European Commission published its proposal for a **revision of the Directive on the re-use of public sector information (PSI Directive)**. It is part of today's wider **Commission 2018 Data Package 'Towards a common European data space'**. Please find hereafter its different elements:

Proposal for a revision of the Directive on the re-use of public sector information

- [Proposal for a revision](#) of the Directive 2003/98/EC on the re-use of public sector information
- [Impact assessment](#) on the review of Directive 2003/98/EC on the re-use of public sector information

Communication and Staff Working Document

- [Communication 'Towards a common European data space'](#)
- [Staff Working Document](#) – Guidelines on private sector data sharing in B2B and B2G contexts

Recommendation on access to and preservation of scientific information

- [Updated Recommendation](#) on access to and preservation of scientific information
- [Staff Working Document](#)

Factsheet and press release

- [Factsheet](#) on the proposal for a revised PSI Directive
- [Press release](#) and [MEMO](#) (Q&A) on the 2018 Data Package 'Towards a common European data space'

Reports on public consultations and studies

- [Synopsis Report](#) of the public consultation on the review of the PSI Directive
- [Synopsis report](#) of the public consultation on 'Building the European data economy'
- [Impact Assessment support study](#) for the review of the PSI Directive
- Study [on data sharing by companies in Europe](#)
- Study on [emerging issues of data ownership, interoperability, \(re-\)usability and access to data, and liability](#)
- Study on the [European data market, measuring the size and trends of the EU data economy](#)

The **Commission's proposal for the revision of the PSI Directive extend's the scope of application of the Directive to documents held by public undertakings**. The latter are now included when they are active in the areas defined in the Directive 2014/25/EU on procurement by entities operating in the water, energy,

transport and postal services sectors and by public undertakings acting as public service operators under Regulation (EC) No 1370/2007 insofar as they are produced as part of the provision of services in the general interest, as defined by law or other binding rules in the Member State (cf. amongst others Recitals 20 and 21 as well as Articles 1 and 2).

At the same time, the proposed Directive foresees that only a limited set of obligations will apply: Public undertakings can charge above marginal costs for dissemination and are under no obligation to release the data they do not want to release, unless national laws force them to do so. According to the Commission, the Directive should not contain an obligation to allow the re-use of documents produced by public undertakings. The decision whether or not to authorise re-use should remain with the public undertaking concerned. Only after the public undertaking has chosen to make a document available for re-use, should it observe the relevant obligations laid down in Chapters III and IV of the Directive, in particular as regards formats, charging, transparency, licences, non-discrimination and prohibition of exclusive arrangements. Moreover, certain types of documents are excluded from the Directive's scope, in particular documents which are excluded from access by virtue of the access regimes in the Member States, including on the grounds of the protection of national security, defence, or public security, statistical confidentiality as well as commercial confidentiality (e.g. business, professional or company secrets) (cf. amongst others Recital 22, Articles 1, 4 and 6).

However, it still needs to be clarified to which extent these exemptions apply to all concerned public undertakings and how they play together with Article 13. Indeed, the latter article on possible future lists of high value datasets that need to be available for free, machine readable and accessible via APIs (Application Programming Interfaces), seems to be particularly problematic. It would concern data that is associated with important socio-economic benefits. The Commission could propose such lists of high value datasets through delegated acts for each concerned sector. As many other parts of the proposal also this provision is kept quite vague, including by stating that these datasets do not need to be made available for free if this would lead to a considerable distortion of competition in the respective markets. This provision seems to be particularly important as the overall proposal does not create a level-playing field by excluding private companies from its scope.

Call for input:

We are currently continuing analyzing today's Commission proposal and are preparing a first CEEP reaction, based on the [CEEP comments](#) that were discussed and agreed within the Sustainability Board at the beginning of this year.

In view of the Sustainability Board's work on the proposal and upcoming lobbying activities towards the European Parliament and the Council, I would like to invite you to **send me your first written input (first statements/ positions/ ideas for amendments) within the next three weeks, by Wednesday, 16 May 2018, at the latest**. Many thanks in advance.

Should you have any questions or remarks, please do not hesitate to contact me.

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Member of Parliament and Council Presidency at next CEEP Transport Task Force meeting on 19 June

Communication sent to members of the CEEP Transport Task Force (24/4/18):

I am delighted to inform you that two very interesting representatives of the European institutions will participate in our **next CEEP Transport Task Force meeting that will take place on Tuesday, 19 June 2018, from 1.30 pm to 5.00 pm**.

- **Mr Seb Dance, Member of the European Parliament**, Shadow Rapporteur on the Clean Vehicles Directive
- **Mr Herbert Pribitzer, in charge of transport policies for the upcoming Council Presidency** (second half of 2018), Austrian Permanent Representation to the EU

These two exchanges of views will allow the CEEP Transport Task Force to get insights in both the evolving Parliament debate on the Clean Vehicles Directive as well as the Austrian Council Presidency's priorities and further input CEEP can provide.

As usual, the meeting documents will be sent to you two weeks prior to the meeting date. In the meantime, please already pencil the meeting in your agendas.

Should you have any questions or comments, please do not hesitate to contact me.

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European Parliament Rapporteur on DWD review at next CEEP Water Task Force meeting on 5 June 2018

Message sent to members of the CEEP Water Task Force (4/5/2018):

I am delighted to inform you that Mr Michel Dantin, Rapporteur on the Drinking Water Directive review in the European Parliament's ENVI Committee, will participate in our next CEEP Water Task Force meeting on 5 June at CEEP premises in Brussels. As Mr Dantin will be able to join the meeting from 9 to 10 am, the overall Task Force meeting will be scheduled **from 8.30 am to 12.00 pm. Please note the exceptionally early starting time at 8.30 am.**

Following last week's first CEEP meeting with Mr Dantin, this exchange of views between Mr Dantin and CEEP members will be the excellent opportunity to deepen the discussion on his proposal for a draft report in the European Parliament (that he is finalising today) as well as on [CEEP's proposals for amendments to the Commission text \(please find here the final version\)](#). We hope that you will all be able to join this very important CEEP Water Task Force meeting. As usual, meeting documents, including the draft agenda, will be sent to you two weeks ahead of the meeting date.

Moreover, I would like to forward you hereafter the [meeting summary](#) that Dieter Staat, CEEP representative in the **Ad-hoc Working Group on Water Reuse** within the CIS-process, kindly and very quickly wrote for your attention, following yesterday's meeting of the Ad-hoc Working Group. As mentioned in the meeting summary, please find hereafter the leaked [draft proposal for the water reuse legislation](#), together with the [draft Annexes](#) and the [Impact Assessment](#). Please do not circulate these leaks and keep them confidential. I would like to warmly thank Dieter Staat for this very quick follow-up.

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CEEP Water Task Force: CEEP Meeting with DWD Parliament Rapporteur Dantin

Communication sent to members of the CEEP Water Task Force (26/4/2018):

As announced, this Tuesday, I met with Mr Michel Dantin, Member of the European Parliament and Rapporteur on the Drinking Water Directive revision, and his advisor. This meeting was the great opportunity to present to Mr Dantin the proposals discussed in the CEEP Water Task Force as he is currently working on his draft report. He will finish it by 4 May and then propose it as a basis for the further discussions in the European Parliament's ENVI Committee (which will discuss his draft report on 7 June; all ENVI members can then prepare amendments by 13 June and the tentative date for the votes in ENVI is 10 September; the whole Parliament is expected to vote in October).

The meeting showed that Mr Dantin has a pragmatic approach to the revision, meaning that he is interested in the feasibility of the proposals while wanting to achieve a good outcome for citizens. Regarding Article 8, it seems that he could suggest to entrust key responsibilities to the local/regional authorities that would be in charge of adapting requirements to the respective territory and to ask the respective water utilities to fulfill them.

On Article 9 (old) on derogations, he might suggest to keep the possibility for derogations, while possibly shortening them to 6 years and thus aligning them to the planning cycles of the Water Framework Directive.

In Article 10, he might want to limit the scope of the article by focusing it on premises that are accessible to the public, such as hospitals or schools.

With regard to Article 14, it is possible that he will come forward with 3 to 4 more general categories that would shorten the list of detailed requirements. Leakage rates could be included, but no indicator on energy use.

He possibly might also suggest a deletion of Article 16 as access to justice could be considered a national competence.

Regarding the parameters, he might propose to stick mainly to the WHO parameters and to adapt them at EU level through delegated acts, once the WHO also suggests new parameters. Moreover, it could be useful to distinguish in a clearer way between health related parameters and indicator/operational parameters.

In the next weeks, CEEP will continue to spread the point of view of the Water Task Force towards the European Parliament and the Council. As usual, a particular attention will be given to the Rapporteur and the Shadow Rapporteurs who will be working on a compromise text with Rapporteur Michel Dantin. Please find their names again hereafter: Rory Palmer (S&D group, from UK), Ulrike Müller (ALDE, from Germany), Jørn Dohrmann (ECR, from Denmark), Benedek Jávor (Greens, from Hungary), Lynn Boylan (GUE/NGL, from Ireland), Piernicola Pedicini (EFDD, from Italy) and Sylvie Goddyn (ENF, from France).

As you might have noted, we have so far tentatively set the Water Task Force meeting on the first week of June, meaning either 5, 6 or 7 June 2018. For your information, the most likely date is now 5 June. I hope to be able to send you a definite confirmation next week.

Should you have any questions or remarks, please do not hesitate to contact me.

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Save the date – 12 June SP conference on the Gender pay gap and Childcare services and call to SAB for practice to showcase on childcare services

Correspondence sent to Chair, Vice-Chairs, members of CEEP's Social Affairs Board (4/5/2018):

Please find attached the [draft agenda](#) for the European social partners' conference on Access to childcare and the Gender pay gap, on the 12 June 2018, which will mark the end of the EU SP Work programme 2015-2017.

The objective of this seminar is to organise an exchange of national social partners practices and existing legislation promoting the principle of equal pay between women and men, facilitating childcare and investment in infrastructures, and discussing between social partners possible ways forward on these issues.

CEEP was given the opportunity to showcase an example from its membership in the session dedicated to Childcare: 14:45 – 16:00 *The need to improve childcare provision in Europe*

We are therefore looking for an example, in the public sphere, at the regional or local level, of a practice on childcare delivery to show its functioning and showcasing possible challenges.

Thank you in advance for informing me should you be willing to participate to the conference and if you believe you have a practice which could be presented on the 12 June before the 30th of May.

Should you have any question, I remain at your disposal,

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CEEP Public Services Board: Questionnaire on in-house public procurement rules

Communication sent to members of the CEEP Public Services Board (7/5/2018):

Please allow me to remind you herewith about the [Questionnaire on Transposition of In-house rules based on the 2014 Public Procurement Package](#), which our Vice-Chair Luigi Del Giacco drafted in order to provide follow-up to our exchange of views at the last Public Services Board session.

I would like to thank you in advance for your input. It will allow to bring together and analyse CEEP members' experiences with the transposition of the in-house rules within the Public Services Board and to present it to the European institutions. I would thus kindly ask you to **please return this questionnaire to me by May 21st at the latest.**

Please feel free to get back to me for any comment and any further question.

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CEEP News #59 – April 2018 & Newsflash – 4 May 2018

[CEEP News #59 – April 2018](#)

[CEEP Newsflash – 4 May 2018](#)

Social Europe e-newsletters

Latest Social Europe e-newsletters below:

[Social Europe e-newsletter 24 April 2018](#)

[Social Europe e-newsletter 1 May 2018](#)

[Social Europe e-newsletter 8 May 2018](#)

Eversheds Sutherland : E-briefings, Updates and Conferences

See below links to information received from our partners **Eversheds Sutherland:**

[Crisis, HR and PR Briefings](#)

[Employee Relations 2017](#)

[European HR International course list](#)

[Eversheds – Invitation – Gender Pay Gap – Moving Forward Conference 2018](#)

[Eversheds Sutherland employment e-briefing – Brexi – Could the Hostile Environment affect EEA workers.docx](#)

[Eversheds Sutherlands UK HR E-briefing – New whistleblowing protection on the horizon for the EU](#)

[Health-and-safety-summer-school-2018](#)

[HR Summer School 2018](#)

[International assignments course](#)