

Environment, agriculture, social policy and public health: amending certain Directives by reason of the change of status of Mayotte with regard to the Union

2013/0192(COD) - 13/06/2013 - Legislative proposal

PURPOSE: to amend certain Directives in the fields of environment, agriculture, social policy and public health by reason of the change of status of Mayotte with regard to the Union.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: by Decision 2012/419/EU, **the European Council amended the status of Mayotte with regard to the Union with effect from 1 January 2014.** Therefore, from that date Mayotte will cease to be an overseas territory to become an **outermost region** within the meaning of Articles 349 and 355(1) TFEU. Union law will apply to Mayotte from 1 January 2014.

This proposal follows the examination of requests made by the French authorities to have the Union *acquis* amended through derogations and/or transitional periods applicable to Mayotte in different areas, such as environment, agriculture, social policy and public health. The examination has revealed that France needs additional time to comply with the Union *acquis* with regard to Mayotte in these fields.

The amendments proposed relate to all the Directives. In the interest of simplicity and speediness, it has been considered expedient not to resort to individual proposals for each of the acts concerned but, where legally possible, to bundle the amendments to several acts in a single proposal.

IMPACT ASSESSMENT: the Commission did not undertake an impact assessment.

LEGAL BASIS: Article 43(2), Article 114, Article 153(2), Article 168 and Article 192(1) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: taking into account the specific situation in Mayotte, the Commission is proposing to **amend a series of Directives in the fields of the environment, agriculture, social policy and public health.**

Environment: it is proposed to amend three Directives in order to: (i) grant France the sufficient periods of time for meeting the requirements of the Directives concerning **urban waste water treatment** and for the adoption and the proper implementation of river basin management plans; (ii) define specific time limits to allow France to reach the Union standards as regards **bathing water quality**.

Agriculture: it is proposed to amend Council Directive 1999/74/EC laying down minimum standards for the protection of laying hens. Since laying hens are reared in Mayotte in unenriched cages and since it would be difficult to change this position in the short term, France should be granted sufficient time to adapt.

Social policy: it is proposed to amend Directive 2006/25/EC of the European Parliament and of the Council with a view to granting a derogation to France, until 31 December 2017, from certain provisions in the field of **artificial optical radiation**. It is also proposed that France must ensure proper consultation of the social partners and limit risks for workers to a minimum.

Public health: it is proposed to amend Directive 2011/24/EU of the European Parliament and of the Council on the **application of patients' rights in cross-border healthcare**, to grant France an additional period of 30 months from 1 January 2014 to bring into force the provisions necessary to comply with that Directive in respect of Mayotte.

BUDGETARY IMPLICATION: the proposal has no budgetary implications.