

Basic information

2013/0192(COD)

COD - Ordinary legislative procedure (ex-codecision procedure)
Directive

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

Amending Directive 2006/25/EC [1992/0449B\(COD\)](#)
Amending Directive 2000/60/EC [1997/0067\(COD\)](#)
Amending Directive 1999/74/EC [1998/0092\(CNS\)](#)
Amending Directive 2006/7/EC [2002/0254\(COD\)](#)
Amending Directive 2011/24/EU [2008/0142\(COD\)](#)

Subject

3.10.04 Livestock farming
3.10.04.02 Animal protection
3.70.04 Water control and management, pollution of waterways, water pollution
4.15.15 Health and safety at work, occupational medicine
4.20.06 Health services, medical institutions
4.70.06 Outlying and outermost regions, overseas countries and territories

Geographical area

France
Mayotte

Procedure completed

Key players

European
Parliament

Committee responsible

ENVI

Environment, Public Health and Food Safety

Rapporteur

[GROOTE Matthias \(S&D\)](#)

Appointed

11/07/2013

Shadow rapporteur

[FRANCO Gaston \(PPE\)](#)

[LEPAGE Corinne \(ALDE\)](#)

[HASSI Satu \(Verts/ALE\)](#)

Committee for opinion

EMPL

Employment and Social Affairs

Rapporteur for opinion

The committee decided not to give an opinion.

Appointed

REGI

Regional Development

[TIROLIEN Patrice \(S&D\)](#)

11/07/2013

AGRI

Agriculture and Rural Development

The committee decided not to give an opinion.

	Committee for opinion on the legal basis	Rapporteur for opinion	Appointed
	JURI Legal Affairs	VOSS Axel (PPE)	26/09/2013
Council of the European Union	Council configuration	Meetings	Date
	General Affairs	3287	2013-12-17
European Commission	Commission DG	Commissioner	
	Regional and Urban Policy	HAHN Johannes	
European Economic and Social Committee			
European Committee of the Regions			

Key events			
Date	Event	Reference	Summary
13/06/2013	Legislative proposal published	COM(2013)0418 	Summary
01/07/2013	Committee referral announced in Parliament, 1st reading		
14/11/2013	Vote in committee, 1st reading		
20/11/2013	Committee report tabled for plenary, 1st reading	A7-0399/2013	Summary
12/12/2013	Decision by Parliament, 1st reading	T7-0589/2013	Summary
12/12/2013	Results of vote in Parliament		
17/12/2013	Act adopted by Council after Parliament's 1st reading		
17/12/2013	Final act signed		
17/12/2013	End of procedure in Parliament		
28/12/2013	Final act published in Official Journal		

Technical information	
Procedure reference	2013/0192(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Amending Directive 2006/25/EC 1992/0449B(COD) Amending Directive 2000/60/EC 1997/0067(COD) Amending Directive 1999/74/EC 1998/0092(CNS)

	Amending Directive 2006/7/EC 2002/0254(COD) Amending Directive 2011/24/EU 2008/0142(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 114 Treaty on the Functioning of the European Union TFEU 168 Treaty on the Functioning of the European Union TFEU 192-p1 Treaty on the Functioning of the European Union TFEU 043-p2 Treaty on the Functioning of the European Union TFEU 153-p2
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/7/13045

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee opinion	REGI	PE519.804	16/10/2013	
Specific opinion	JURI	PE521.692	16/10/2013	
Committee draft report		PE521.784	23/10/2013	
Amendments tabled in committee		PE522.853	11/11/2013	
Committee report tabled for plenary, 1st reading/single reading		A7-0399/2013	20/11/2013	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0589/2013	12/12/2013	Summary
Council of the EU				
Document type		Reference	Date	Summary
Supplementary legislative basic document		14221/2013	30/09/2013	Summary
European Commission				
Document type		Reference	Date	Summary
Legislative proposal		COM(2013)0418 	13/06/2013	Summary
Commission response to text adopted in plenary		SP(2014)148	13/02/2014	
National parliaments				
Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	IT_SENATE	COM(2013)0418	31/07/2013	
Contribution	ES_PARLIAMENT	COM(2013)0418	15/09/2013	

Additional information		
Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act	
Directive 2013/0064 OJ L 353 28.12.2013, p. 0008	Summary

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.

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) - 30/09/2013 - Supplementary legislative basic document

The Council adopted a proposed **compromise text** on a Council Directive amending 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.

The proposed changes by the Presidency were as follows:

The proposal should be based on **Article 349** of the Treaty on the Functioning of the European Union (TFEU).

The Council should adopt this proposal having regard to the opinion of the European Parliament following the **special legislative procedure**.

It is stipulated that Mayotte should be considered as an outermost region within the meaning of Article 349 of the TFEU and that it is appropriate to provide for certain specific measures justified by the particular structural social and economic situation of Mayotte in a number of areas.

- **Amendment to Directive 91/271/EEC concerning urban waste water treatment:** the proposal stipulated that the period of time granted to France to enable it to comply with the requirements of the Directive should be 31 December 2027 for all agglomerations of more than 2 000 p. e. (population equivalent).
- **Amendment to Directive 1999/74/EC laying down minimum standards for the protection of laying hens:** it is proposed that laying hens **may continue to be** reared in unenriched cages until 31 December 2017.

The Directive should apply from 1 January 2014.

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) - 20/11/2013 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Environment, Public Health and Food Safety adopted the report adopted by Matthias GROOTE (S&D, DE) on the proposal for a directive of the European Parliament and of the Council amending 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.

The committee recommended that the European Parliament's position adopted at first reading following the ordinary legislative procedure should amend the Commission proposal.

The report stressed that following the change in the legal status of Mayotte, Union law will apply to Mayotte as from 1 January 2014. It is appropriate to provide for certain specific measures justified by the particular structural **social, environmental and economic situation** of Mayotte and its new status as an outermost region, in a number of areas.

As regards **laying hens**, Members proposed that the old standard cages which are already in use, may be used until 31 December 2017 (as opposed to 31 December 2014).

A second series of amendments concerned the **waste water collecting systems** and the thresholds of the agglomerations above which such systems must be built. These amendments aim at bringing into line the provisions concerning Mayotte with the "acquis communautaire" which is currently in force for the rest of the EU.

France should ensure that urban waste water entering collecting systems are, before discharge, subject to secondary treatment or an equivalent treatment: (i) by 31 December 2020 at the latest for agglomerations of more than **15 000** population equivalent (p.e.) (instead of 10 000 as proposed by the Commission); (ii) by 31 December 2027 at the latest for agglomerations of more than **2 000 p.e.**

The Directive should apply from 1 January 2014.

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) - 17/12/2013 - Final act

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.

LEGISLATIVE ACT: Council Directive 2013/64/EU amending Council Directives 91/271/EEC and 1999/74/EC, and Directives 2000/60/EC, 2006/7/EC, 2006/25/EC and 2011/24/EU of the European Parliament and of the Council, following the amendment of the status of Mayotte with regard to the European Union

CONTENT: on 11 July 2012, the European Council decided to grant **the status of an outermost region of the Union to Mayotte** with regard to the Union with effect from 1 January 2014. **Specific measures** provided in this Directive aim to take account of the particular structural social and economic situation of Mayotte, which is compounded by its remoteness, insularity, small size, difficult topography and climate.

Environment: three Directives are amended 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**.

France shall ensure that all agglomerations are provided with collecting systems for urban waste water: (i) by 31 December 2020 at the latest for agglomerations of more than 10 000 p.e. which will cover at least 70 % of the load generated in Mayotte; (ii) by 31 December 2027 at the latest for agglomerations of more than 2 000 p.e.‘.

Agriculture: Council Directive 1999/74/EC laying down minimum standards for the protection of laying hens is amended so as to **postpone the prohibition of using unenriched cages until 31 December 2017**. In order to prevent distortions of competition, eggs derived from establishments using unenriched cages should be marketed only on the local market of Mayotte.

Social policy: the amendment to Directive 2006/25/EC of the European Parliament and of the Council grants a **derogation to France, until 31 December 2017, from certain provisions in the field of artificial optical radiation**. France must ensure proper consultation of the social partners and limit risks for workers to a minimum.

Public health: Directive 2011/24/EU of the European Parliament and of the Council on the application of patients' rights in cross-border healthcare is amended, to grant France an additional period **to 30 June 2016** to bring into force the provisions necessary to comply with that Directive in respect of Mayotte.

ENTRY INTO FORCE: 01/01/2014.

TRANSPOSITION: from 01/01/2014 to 30/06/2021 depending on the provisions.

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) - 12/12/2013 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 561 votes to 59, with 12 abstentions, a legislative resolution 13 on the proposal for a directive of the European Parliament and of the Council amending 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.

The position at first reading adopted by the Parliament following the ordinary legislative procedure amended the Commission proposal as follows:

Parliament stressed that following the change in the legal status of Mayotte, Union law will apply to Mayotte as from 1 January 2014. It is appropriate to provide for certain specific measures justified by the particular structural **social, environmental and economic situation** of Mayotte and its new status as an outermost region, in a number of areas.

As regards **laying hens**, Parliament proposed that the old standard cages which are already in use, may be used until **31 December 2017**.

A second series of amendments concerned the **waste water collecting systems** and the thresholds of the agglomerations above which such systems must be built.

France should ensure that urban waste water entering collecting systems are, before discharge, subject to secondary treatment or an equivalent treatment: (i) by 31 December 2020 at the latest for agglomerations of more than **15 000** population equivalent (p.e.); (ii) by 31 December 2027 at the latest for agglomerations of more than **2 000 p.e.**.

The Directive should apply from 1 January 2014.