



Department
for Transport

Sir William Cash MP
Chairman Commons European Scrutiny
Committee
House of Commons
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From the Parliamentary
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Dear Bill,

5712/16: Proposal for a Regulation of the European Parliament and of the Council on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles

I am grateful for the previous Committee's agreement to grant a scrutiny waiver for the Competitiveness Council meeting on the 29 May. I am pleased to report that a General Approach was reached at this meeting. We were content with the final version of the Council text and able to vote in support of it.

In most areas the position remained as set out in Andrew Jones' letter of 19 April. The main area that was still open for discussion in the run up to the vote was the power in Article 90 for the Commission to fine non-compliant manufacturers where Member States have not taken action. We felt that there was a careful balance to achieve between ensuring that the Commission's role in market surveillance carries some weight, but that it does not cut across the actions of Member States or create legal uncertainty. A revised version of the provision was developed that further clarified when the Commission can take action. This was considered acceptable to the majority of Member States, including the UK.

The Council has now entered the trilogue negotiations with the European Parliament. These have been positive so far with early discussion on where we may be able to find consensus and the potential for compromise. As Andrew Jones indicated in his last letter, the Repair and Maintenance provisions are likely to be a difficult area as the two

positions are particularly far apart. In preparation for this we have been meeting with key stakeholders to understand better the issues on both sides.

We are optimistic that the Estonian Presidency will be able to make good progress on this file, and hope that we will conclude the negotiations either during their term or under the Bulgarian Presidency.

I am writing in similar terms to Lord Boswell, Chairman of the European Union Committee, and am copying this letter to Lynn Gardner, Clerk to your Committee, Chris Johnson, Clerk to the Lords Committee, Arnold Ridout, Legal Adviser to your Committee, Les Saunders, Department for Exiting the European Union and Margaret Browne, departmental scrutiny coordinator.

A handwritten signature in black ink that reads "Jesse Norman". The signature is written in a cursive, flowing style.

JESSE NORMAN