COUNCIL OF THE EUROPEAN UNION

Brussels, 24 May 2000 (24.05)

Interinstitutional File:
1997/0359 (COD)

8647/00
COR 4
LIMITE

PI 32
CULTURE 32
CODEC 377

CORRIGENDUM TO THE REPORT

from : Presidency
to : Council (Internal Market)
No. prev. doc. : 7179/00 PI 20 CULTURE 17 CODEC 223
No. Cion prop. : 8723/00 PI 29 CULTURE 36 CODEC 297


1. Page 3, point 10: Replace the first sentence by the following:

"The UK delegation, supported by the DK/IRL/LUX/NL and FIN delegations are in favour of the wording in Recital 31bis concerning "time-shifting" in relation to the use of technological protection measures; the S delegation could accept this wording."

2. Page 5, point 15: delete the last sentence.

3. Page 6, point 20 should read as follows:

"20. The DK/LUX/UK/IRL and NL delegations have entered reservations on the principle of fair compensation, on the grounds that the present wording of Recital 24bis does not allow them to assess with certainty or precision the extent of the obligations which this concept would place on Member States in transposing the directive. The reference to "time-shifting" in the last sentence of Recital 24bis would help some of these delegations to accept this
principle; however, the D/ES/F/B and IT delegations have reservations on the whole of this last sentence, including the possibility that there could be any de minimis cases in which no obligation for payment may arise. The Commission has suggested that the reference to "time-shifting" in this Recital be replaced by a declaration. The NL delegation has suggested that the previous sentence of this Recital be accompanied by a declaration." (Footnotes 6 and 7 remain).

4. In the Annex, delete the references to the S delegation in points 9, 11 and 18.

5. In the Annex, page 11, point 2 should begin:

   "2. **Recital 16bis (new):** the UK/DK/D/IRL and NL delegations asked for a new Recital 16bis as follows:" (rest unchanged).

6. In the Annex, page 13, point 11: delete the reference to the B delegation in the second indent.

7. In the Annex, page 13, point 13 should read:

   "13. **Article 5(3)(k):** general reservation by the F and B delegations on this exception, which they considered too broad and unjustifiable."