



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 22 April 2014  
(OR. en)**

**9085/14**

**MI 385  
ENT 114  
COMPET 245  
DELECT 121**

**"I/A" ITEM NOTE**

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From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

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No. Cion doc.: 6853/14 MI 207 ENT 62 COMPET 132 DELACT 39 + ADD1  
- C(2014) 866 final

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Subject: Commission Delegated Regulation (EU) No .../.. of 18.2.2014 amending Annex V to Regulation (EU) No 305/2011 as regards the assessment and verification of constancy of performance of construction products  
- Intention not to raise objections to a delegated act

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1. The Commission has submitted the above delegated act to the Council in accordance with the procedure set out in Article 290 TFEU and Article 60 of Regulation (EU) No 305/2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC. The delegated act is based on Article 28 (2) of that Regulation. The Commission having notified the delegated act to the Council on 18 February 2014, the Council has until **18 May 2014** to object to it.
2. Using an electronic information procedure, the Working Party on Technical Harmonisation has examined the delegated act and agreed by 16 April 2014 that there are no grounds for the Council to object to it.

3. It is therefore suggested that the Permanent Representatives Committee recommend that the Council confirm that it has no intention to object the delegated act and that the Commission and the European Parliament are to be informed thereof. This implies, that unless the European Parliament objects to it, the delegated act shall be published and enter into force in accordance with Article 60 of Regulation (EU) No 305/2011.
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