



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 22 February 2013**

**6687/13**

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**Interinstitutional File:  
2009/0064 (COD)**

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**EF 29  
ECOFIN 128  
DELECT 6**

**“I/A” ITEM NOTE**

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from: General Secretariat of the Council  
to: Coreper/Council

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No. Cion doc.: 18038/12 EF 323 ECOFIN 1100 DELACT 57

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Subject: COMMISSION DELEGATED REGULATION (EU) No ../. of 19.12.2012  
supplementing Directive 2011/61/EU of the European Parliament and of the  
Council with regards to exemptions, general operating conditions, depositaries,  
leverage, transparency and supervision  
- Intention not to raise objections to a delegated act

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1. On 19 December 2012 the Commission submitted the abovementioned delegated act<sup>1</sup> to the Council in accordance with the procedure set out in Article 290 TFEU and Article 56 of Directive 2011/61/EU of the European Parliament and of the Council of 8 June 2011 on Alternative Investment Fund Managers and amending Directives 2003/41/EC and 2009/65/EC and Regulations (EC) No 1060/2009 and (EU) No 1095/2010<sup>2</sup>

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<sup>1</sup> Doc. 18038/12.

<sup>2</sup> OJ L 174, 1 July 2011, p. 1.

2. According to Article 58(1) of Directive 2011/61/EU, the Council may object to a delegated act within a period of three months.
3. During the silence procedure within the framework of Working Party on Financial Services, which ended on 21 February 2013, no delegation indicated an intention to object to the delegated act.
4. It is therefore suggested that Coreper invites the Council at a forthcoming meeting to:
  - confirm that the Council has no intention to object to 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 58(2) of Directive 2011/61/EU, and
  - enter into its minutes the statements as set out in the addendum hereto.

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