



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 19 January 2012

5092/12

AVIATION 2

“I/A” ITEM NOTE

from: General Secretariat
to: COREPER/COUNCIL

No. Cion prop.: 18318/11 AVIATION 269

Subject: COMMISSION REGULATION (EU) No .../..of XXX amending Regulation (EU) No.../... laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council
– Decision not to oppose the adoption

On 12 December 2011, the Council received the COMMISSION REGULATION (EU) No .../..of XXX amending Regulation (EU) No.../... laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (doc. 18318/11).

Delegations were asked to submit any comments on this file by 16 January 2012. Delegations have not provided any indication that there is any reason to oppose the draft measures in question on the grounds described in Decision 1999/468, namely that they:

- exceed the implementing powers provided for in the basic instrument;
- are incompatible with the aim or content of the basic instrument; or
- do not respect the principles of subsidiarity or proportionality.

Following the above, COREPER is invited to approve this position and submit the file to Council for the adoption of a Decision not to oppose the measures in question as an "A" item allowing the Commission to adopt the above Regulation.
