



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 29 May 2012**

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**Interinstitutional File:  
2009/0132 (COD)**

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**9853/12  
ADD 1**

**EF 114  
ECOFIN 399  
SURE 2  
SOC 356  
DELECT 27**

**ADDENDUM TO "I/A" ITEM NOTE**

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from: General Secretariat of the Council

to: Coreper/Council

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No. Cion doc.: 8512/12 EF 86 ECOFIN 314 SURE 1 SOC 254 DELACT 25

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Subject: Commission Delegated Regulation (EU) No .../.. of 30.3.2012 amending Regulation (EC) No 809/2004 as regards the format and the content of the prospectus, the base prospectus, the summary and the final terms and as regards the disclosure requirements

- Intention not to raise objections to a delegated act (declarations for the minutes)

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**DECLARATION BY GERMANY AND FINLAND**

"Despite some concerns Germany and Finland do not intend to raise objections against the Delegated Regulation and, hence, given the time constraints, consent to the request of the Commission for the Council to confirm that it will not to raise any objections before the expiry of the three months period on 30 June 2012."

**DECLARATON BY GERMANY, FINLAND, AUSTRIA, SWEDEN, AND THE  
NETHERLANDS**

"It must be kept in mind that an early approval of delegated acts is considered an exception from the normal procedure and that the participation rights of the Council and the European Parliament with respect to delegated acts must not be undermined by late adoption and notification of the delegated acts by the Commission."

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