



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 21 June 2012

10793/12

SAN 142

“I/A” ITEM NOTE

from :	General Secretariat
to :	Permanent Representatives Committee (Part I)/Council
No. Cion prop.:	10416/12 SAN 125
Subject:	Draft COMMISSION DECISION of XXX amending Decision 2000/96/EC as regards tick-borne encephalitis and the category of vector-borne communicable diseases – <i>Decision not to oppose adoption</i>

1. Article 3(a) of Decision No 2119/98/EC of the European Parliament and of the Council of 24 September 1998 setting up a network for the epidemiological surveillance and control of communicable diseases in the Community¹, stipulates that the communicable diseases to be progressively covered by the Community network shall be determined in accordance with the regulatory procedure with scrutiny.

¹ OJ L 268, 3.10.1998, p. 1.

2. Therefore, before adopting the above mentioned measures and in accordance with Article 5a(2) of Council Decision 1999/468/EC², the Commission consulted the Regulatory Committee set up by Decision No 2119/98/EC on 27 April 2012, which voted by unanimity in favour of the above draft Decision.
3. Consequently, the Commission submitted the above draft Decision to the Council on 14 May 2012, in accordance with Article 5a(3)(a) of Council Decision 1999/468/EC.
4. Under the regulatory procedure with scrutiny, the Council, acting by qualified majority, may oppose the Commission's adoption of the draft Commission Decision on the grounds that the draft measures presented by the Commission:
 - exceed the implementing powers provided for in the basic instrument, or
 - are not compatible with the aim or the content of the basic instrument, or
 - do not respect the principles of subsidiarity or proportionality.
5. The delegations were asked on 31 May 2012 to indicate until 18 June 2012 their possible opposition to the draft Decision. The delegations did not raise any of the above-mentioned grounds for opposition.
6. **The Permanent Representatives Committee is therefore invited to recommend to the Council to confirm, as an "A" item of its agenda, that it is not opposed to the draft Decision in subject.** Unless the European Parliament opposes the Decision within 3 months from its submission, the Commission may adopt it in accordance with the procedure under Article 5a(3)(d) of Council Decision 1999/468/EC.

² Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23), as amended by Decision 2006/512/EC (JO L 200, 22.7.2006, p. 11).