



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 12 July 2012**

**12498/12**

**STATIS 62  
ECOFIN 699  
UEM 264  
DELECT 36**

**“I/A” ITEM NOTE**

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from: Secretariat  
to: Coreper / Council  
No. Cion prop.: C(2012) 4361 final

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Subject: Commission delegated decision of 29.6.2012 on investigations and fines related to the manipulation of statistics as referred to in Regulation (EU) No 1173/2011 of the European Parliament and of the Council on the effective enforcement of budgetary surveillance in the euro area

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1. The Commission submitted the above mentioned delegated act to the Council in accordance with Article 290 of the TFEU and Article 8(4) of Regulation (EU) No 1173/2011 of the European Parliament and of the Council of 16 November 2011 on the effective enforcement of budgetary surveillance in the euro area<sup>1</sup>.
2. The Commission notified this act on 29 June 2012. In accordance with Article 11(5) of Regulation (EU) No 1173/2011, the Council may object to this delegated act within a period of two months from the notification (i.e. up to 29 August 2012). In view of the legal basis used for the adoption of the basic act (Article 136 of the Treaty on the Functioning of the EU), only Member States whose currency is the euro participate in the vote on the delegated act.

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<sup>1</sup> OJ L 306, 23.11.2011, p. 1. .

3. Given the calendar constraints at this time of the year and in order to allow the Council to exercise properly its rights as described above, the Presidency decided to add the examination of this delegated act to the agenda of the Working Party on Statistics on 11 July 2012.
4. During the meeting, eleven delegations from Member States whose currency is the euro intervened to indicate that more time was needed for the examination of the act and asked for a decision by the Council to extend the period for raising objections by two months.
5. The Presidency checked whether any delegation would object to a decision to extend the period for raising objections: no delegation expressed opposition. The Presidency concluded that there was a simple majority in favour of an extension of the objection period for this delegated act by two months.
6. It is therefore suggested that the Permanent Representatives Committee confirm this position and recommend to the Council to:
  - decide to extend the period for raising objections on this delegated Decision by two months and
  - agree to inform accordingly the European Parliament and the Commission.