



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 20 July 2012

12757/12

**Interinstitutional File:
2011/0363 (NLE)**

**ATO 116
CADREFIN 360**

"I" ITEM NOTE

from: General Secretariat of the Council
to: Coreper

No. Cion prop.: 17752/11 ATO 149 CADREFIN 283

Subject: Proposal for a Council Regulation on Union support for the nuclear
 decommissioning assistance programmes in Bulgaria, Lithuania and Slovakia

1. In its letter on 19 December 2011, the Council invited the European Parliament to provide its opinion on the proposal for a Council Regulation on Union support for the nuclear decommissioning assistance programmes in Bulgaria, Lithuania and Slovakia [COM(2011) 783 final - 2011/0363 (NLE)].
2. Since then, and following its reflection on the proper legal basis, the Council at the working party level decided to retain two different legal bases: Article 203 EURATOM regarding the programmes in Bulgaria and Slovakia on the one hand, and Protocol No 4 and Article 56 of the 2003 Act of Accession regarding the programme in Lithuania on the other hand. Accordingly the original proposal for a Council Regulation would be split into two instruments: one for Bulgaria and Slovakia (document 10766/1/12 REV 1) and one for Lithuania (document 10771/1/12 REV 1).

3. Noting that the consultation of the European Parliament is not yet completed, it is appropriate:
- to inform the European Parliament of the Council's intention;
 - to invite the European Parliament to take the split and the suggested legal bases into consideration when drawing up its opinion;
 - to maintain, on a voluntary basis, the consultation in relation to the programme in Lithuania;
 - to provide the European Parliament with documents 10766/1/12 REV 1 and 10771/1/12 REV 1.
4. Coreper is therefore asked to agree with point 3 of the present note.
-