



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 7 November 2012

15681/12

AVIATION 169

“I/A” ITEM NOTE

from: General Secretariat
to: COREPER/Council

No. Cion prop.: 15671/12 AVIATION 168

Subject: COMMISSION REGULATION (EU) No .../.. of XXX amending Regulation (EC) No 216/2008 of the European Parliament and of the Council on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC
– Decision not to oppose the adoption

On 26 October 2012, the Council received a draft Commission Regulation amending Regulation (EC) No 216/2008 of the European Parliament and of the Council on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (doc. 15671/12).

Delegations were asked to submit their comments on this file by 7 November 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.
