



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 4 February 2014  
(OR. en)**

**6053/14**

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**Interinstitutional File:  
2009/0064 (COD)**

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**EF 40  
ECOFIN 100  
DELECT 22**

**"I/A" ITEM NOTE**

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| From:          | General Secretariat of the Council  |
| To:            | Permanent Representatives Committee (Part 2)/Council  |
| No. Cion doc.: | 5112/14 EF 2 ECOFIN 10 DELACT 1   |
| Subject:       | COMMISSION DELEGATED REGULATION (EU) No.../. of 17.12.2013 supplementing Directive 2011/61/EU of the European Parliament and of the Council with regard to regulatory technical standards determining types of alternative investment fund managers<br>- Intention not to raise objections to a delegated act |

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1. On 17 December 2013 the Commission submitted the abovementioned delegated act<sup>1</sup> to the Council in accordance with the procedure set out in Article 290 TFEU and Article 4(4) of Directive 2011/61/EU of the European Parliament and of the Council of 8 June 2011 on Alternative Investment Fund Managers and amending Directives 2003/41/EC and 2009/65/EC and Regulations (EC) No 1060/2009 and (EU) No 1095/2010<sup>2</sup>. Article 4(4) of Directive 2011/61/EU refers to Articles 10 to 14 of Regulation (EU) 1095/2010<sup>3</sup>.

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<sup>1</sup> Doc. 5112/14 EF 2 ECOFIN 10 DELACT 1

<sup>2</sup> OJ L 174, 1 July 2011, p.1

<sup>3</sup> OJ L 331, 15 December 2010, p. 84

2. The Commission having notified the delegated act to the Council on 17 December 2013, according to Article 13(1) of Regulation (EU) 1095/2010, the Council may object to the delegated act within a period of three months, i.e. until 17 March 2014.
3. During the silence procedure within the framework of Working Party on Financial Services, which ended on 31 January 2014, no delegation indicated an intention to object to the delegated act.
4. It is therefore suggested that Coreper invites the Council at a forthcoming meeting to:
  - confirm that the Council has no intention to object to the delegated act and that the Commission and the European Parliament are to be informed thereof; this implies that, unless the European Parliament objects to it, the delegated act shall be published and enter into force in accordance with Article 13(2) of Regulation (EU) 1095/2010.

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