



Council of the  
European Union

Brussels, 30 August 2016  
(OR. en)

11817/16

EF 262  
ECOFIN 770  
DELECT 178

#### 'I/A' ITEM NOTE

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 2)/Council
No. Cion doc.:	C(2016) 3917 final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 29.6.2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council on markets in financial instruments with regard to regulatory technical standards specifying information to be notified by investment firms, market operators and credit institutions - intention not to raise objections to a delegated act

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1. The Commission notified on 29 June 2016 the above delegated act<sup>1</sup> to the Council in accordance with the procedure set out in Article 290 TFEU and with Article 11 (2) of Regulation (EU) No 1095/2010<sup>2</sup>. The Council had one month, i.e. until 29 July 2016 to object to it.

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<sup>1</sup> Doc. 10785/16 EF 215 ECOFIN 673 DELACT 136

<sup>2</sup> Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC; OJ L 331, 15.12.2010, p. 84–119

2. Following the silence procedure within the framework of the Working Party on Financial Services, which expired on 30 June 2016, all delegations agreed that the objection period should be extended in accordance with Article 13(1) of Regulation (EU) No 1095/2010 by one month and further by another one month, i.e. until 29 September 2016. This extension was confirmed by the Council on 18 July 2016<sup>3</sup>.
3. During the silence procedure within the framework of the Working Party on Financial Services, which expired on 22 July 2016, no delegation indicated an intention to object to the delegated act.
4. It is therefore suggested that Coreper invites the Council 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) No 1095/2010.

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<sup>3</sup> Doc. 10955/16 EF 223 ECOFIN 690 DELACT 144