



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 8 November 2013  
(OR. en)**

**15779/13**

**TRANS 562**

**"I/A" ITEM NOTE**

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council  
Subject: COMMISSION REGULATION (EU) No .../.. of XXX laying down detailed rules for the application of Regulation (EC) No 1073/2009 as regards documents for the international carriage of passengers by coach and bus and repealing Commission Regulation (EC) No 2121/98  
– Decision not to oppose the adoption (regulatory procedure with scrutiny)

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1. The measure envisaged being in accordance with the opinion of the relevant committee, the Commission has submitted the above draft measure<sup>1</sup> to the Council for scrutiny in accordance with the procedure in Article 5a(3)(a) of Council Decision 1999/468/EC<sup>2</sup>. The Commission having presented the draft measure on 23 September 2013, the Council has until 23 December 2013 to decide to oppose the adoption.

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<sup>1</sup> 12924/12 TRANS 259

<sup>2</sup> Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23), as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).

2. Delegations were asked to examine the draft measure until 4 November 2013 and did not provide any indication that there are grounds for the Council to oppose its adoption.<sup>3</sup>
  3. It is therefore suggested that Coreper recommend that the Council confirm that there are no grounds for opposing the draft measure. This implies that, unless the European Parliament opposes it, the Commission may adopt the proposed measure in accordance with Article 5a(3)(d) of Council Decision 1999/468/EC.
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<sup>3</sup> Article 5a(3)(b) of Council Decision 1999/468/EC provides that the Council may, acting by qualified majority, oppose the adoption of such measures on the grounds that they exceed the implementing powers provided for in the basic instrument, are not compatible with the aim or the content of the basic instrument or do not respect the principles of subsidiarity or proportionality.