



Brussels, 11 November 2016
(OR. en)

14090/16

Interinstitutional File:
2016/0288 (COD)

TELECOM 218
COMPET 562
MI 683
IA 106
CODEC 1588

'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)
No. Cion doc.:	12252/16 TELECOM 165 COMPET 486 MI 578 CONSOM 215 IA 72 CODEC 1269 + ADD 1
Subject:	Proposal for a Directive of the European Parliament and of the Council establishing the European Electronic Communications Code (Recast) - Optional Consultation of the Committee of the Regions ¹

On 14 September 2016, the Commission submitted to the Council a Proposal for a Directive of the European Parliament and of the Council establishing the European Electronic Communications Code.²

The proposal is based on Article 114 of the TFEU, which provides for the European Parliament and for the Council to act in accordance with the ordinary legislative procedure and after consulting the Economic and Social Committee. Thus, the Opinion of the Committee of the Regions is not required by the Treaty.

¹ The sole purpose of this note is to decide on the consultation of another institution/body and not on the substance of the proposal.

² Doc. 12252/16.

In its proposal, the Commission has proposed to consult the Committee of the Regions. Indeed, the proposal includes measures that either involve regional authorities (e.g. Usage of Spectrum Bands), or empowers the competent authorities to have a more detailed view on the market (possibility to target geographical areas for access regulation or to conduct geographical surveys). Therefore the Presidency considers appropriate to consult the Committee of the Regions on an optional basis. The procedure is in accordance with Articles 307 TFEU and Article 19(7)(h) of the Council's Rules of Procedure.

In view of the above, the Permanent Representatives Committee is invited to request the Committee of the Regions to deliver its opinion on the Commission proposal set out in document 12252/16 +ADD 1 by its March Plenary meeting.
