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DELECT 7

#### '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) 7147 final, C(2016) 7158 final and C(2016) 7159 final
Subject:	Three delegated acts supplementing Regulation (EU) No 909/2014 of the European Parliament and of the Council - intention not to raise objections to delegated acts

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1. In accordance with the procedure set out in Article 290 TFEU and with Article 11 (2) of Regulation (EU) No 1095/2010<sup>1</sup> the Commission notified on 11 November 2016 to the Council Commission Delegated Regulation (EU) .../... of 11.11.2016 supplementing Regulation (EU) No 909/2014 of the European Parliament and of the Council with regard to regulatory technical standards further specifying the content of the reporting on internalised settlements<sup>2</sup> and Commission Delegated Regulation (EU) .../... of 11.11.2016 supplementing Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 with regard to regulatory technical standards on authorisation, supervisory and operational requirements for central securities depositories<sup>3</sup>. The Council had one month, i.e. until 11 December 2016 to object to them.

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<sup>1</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

<sup>2</sup> Doc. 14410/16

<sup>3</sup> Doc. 14412/16 + ADD 1

2. In accordance with the procedure set out in Article 290 TFEU and with Article 11 (2) of Regulation (EU) No 1093/2010<sup>4</sup> the Commission notified on 11 November 2016 to the Council Commission Delegated Regulation (EU) No .../.. of 11.11.2016 supplementing Regulation (EU) No 909/2014 of the European Parliament and of the Council with regard to regulatory technical standards on certain prudential requirements for central securities depositories and designated credit institutions offering banking-type ancillary services<sup>5</sup>. The Council had one month, i.e. until 11 December 2016 to object to it.
3. The period for raising any objections to the above-mentioned delegated acts was extended by one month and further by another one month by the Council on 28 November 2016<sup>6</sup>. The Council may therefore object to the notified delegated acts until 11 February 2017.
4. During the silence procedure within the framework of the Working Party on Financial Services, which expired on 10 January 2017, no delegation indicated an intention to object to these delegated acts.
5. It is therefore suggested that Coreper invites the Council to confirm that the Council has no intention to object to the delegated acts 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 acts shall be published and enter into force in accordance with Article 13 (2) of Regulation (EU) No 1095/2010 and with Article 13 (2) of Regulation (EU) No 1093/2010.

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<sup>4</sup> Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC; OJ L 331, 15.12.2010, p. 12–47

<sup>5</sup> Doc. 14415/16 + ADD 1

<sup>6</sup> Doc. 14464/16