



Council of the
European Union

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MI 173
ENT 51
COMPET 153
DELECT 36

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. Cion doc.:	5774/17 MI 81 ENT 28 COMPET 57 DELECT 18 + ADD 1 - C(2017) 315 final
Subject:	Commission Delegated Regulation (EU) No .../.. of 26.01.2017 on the classification of frost resistance performance for clay tiles under EN 1304 pursuant to Regulation (EU) No 305/2011 of the European Parliament and of the Council - Intention not to raise objections to a delegated act

1. The Commission has submitted the above delegated act¹ to the Council in accordance with the procedure set out in Article 290 TFEU and Article 60 (f) of Regulation (EU) No 305/2011² laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EE. The delegated act is based on Article 27 (1) of that Regulation. The Commission having notified the delegated act to the Council on 26 January 2017, the Council has until 26 April 2017 to object to it.
2. The Working Party on Technical Harmonisation has examined the delegated act by written procedure and has concluded that there are no grounds for the Council to object to it.

¹ Council doc. 5774/17 + ADD1.

² OJ L 88, 4 April 2011, p.5.

3. It is therefore suggested that the Permanent Representatives Committee recommend that the Council confirm that it has no intention to object 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 60 of Regulation (EU) No 305/2011.
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