



**COUNCIL OF
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From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Proposal for a Regulation of the European Parliament and of the Council on fluorinated greenhouse gases (**first reading**)
- Adoption of the legislative act (**LA + S**)
= Statement

Statement by the Commission on Article 24(2)

The Commission, taking note of the "no opinion" clause in Article 24(2), recalls that the recourse to Article 5(4) of Regulation (EU) No 182/2011 (OJ L 55, 28.2.2011, p. 13), subparagraph 2, point b) must respond to a specific need to depart from the rule of principle which is that the Commission may adopt a draft implementing act when no opinion is delivered. Given that it is an exception, it cannot be simply seen as a "discretionary power" of the Legislator, but must be interpreted in a restrictive manner and thus must be justified in a recital.