



Council of the
European Union

Brussels, 4 September 2014

12665/14

ENER 374
ENV 713
TRANS 393
AGRI 546

"I/A" ITEM NOTE

from: General Secretariat of the Council

to: Coreper/Council

No. Cion prop.: 11783/14 ENER 352 ENV 667 TRANS 360 AGRI 494

Subject: Commission Regulation (EU) No .../.. of XXX on defining the criteria and geographic ranges of highly biodiverse grassland for the purposes of Article 7b(3)(c) of Directive 98/70/EC of the European Parliament and the Council of 13 October 1998 relating to the quality of petrol and diesel fuels and Article 17(3)(c) of Directive 2009/28/EC of the European Parliament and the Council of 23 April 2009 on the promotion of the use of energy from renewable sources

- Decision not to oppose adoption (regulatory procedure with scrutiny)

1. The measure envisaged being in accordance with the opinion of the relevant committee, the Commission has submitted the above draft measure¹ to the Council for scrutiny in accordance with the procedure in Article 5a(3)(a) of Council Decision 1999/468/EC². The Commission having presented the draft measure on 9 July 2014, the Council has until 9 October 2014 to decide to oppose the adoption.

¹ 11783/14 ENER 352 ENV 667 TRANS 360 AGRI 494

² 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. The Working Party on Energy has examined the draft measure and agreed that there are no grounds for the Council to oppose its adoption.¹

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.

¹ Article 5a(3)(b) 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.