



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 9 December 2013

17311/13

**Interinstitutional File:
2011/0363 (NLE)**

**ATO 160
CADREFIN 348**

“I/A” ITEM NOTE

from: General Secretariat of the Council
to: Coreper/Council

No. Cion prop.: 17752/11 ATO 149 CADREFIN 159

Subject: Proposal for a Council Regulation on Union support for the nuclear decommissioning assistance programmes in Bulgaria and Slovakia
- Adoption

1. On 28 November 2011 the Commission forwarded a proposal to the Council for a Council Regulation on Union support for the nuclear decommissioning assistance programmes in Bulgaria, Lithuania and Slovakia, based on Article 203 of the Euratom Treaty.
2. Following the Council Legal Service analysis from 3 of May 2012¹, the Council at Working Party level decided to retain two different legal bases: Article 203 Euratom regarding the programmes in Bulgaria and Slovakia on the one hand, and Protocol No 4 and Article 56 of the 2003 Act of Accession regarding the programme in Lithuania on the other hand. Accordingly the original proposal has been split into two instruments: one for Bulgaria and Slovakia and one for Lithuania. The Parliament was duly informed² of the Council's intention to proceed to the split and subsequently delivered its opinion on 19 November 2013, which through its amendment 4 supports different legal bases.

¹ See doc. 9526/12

² see Note to Coreper 12757/12

The Working Party on Atomic Questions was informed about the vote as well as on the final budgetary amounts and duration of support following confirmation by the Parliament of the overall agreement on the MFF.

3. On that basis the Presidency concluded that the draft Council Regulation could be transmitted to Coreper. The text of the draft Council Regulation has now been finalised by legal linguists as set out in doc. 16633/13.
4. Coreper could therefore invite the Council to adopt the text as set out in doc. 16633/13 as an "A" item.
