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FSTR 12
FC 14
REGIO 19
PECHE 99
AGRISTR 18
SOC 182
EMPL 102
DELACTION 28

"I/A" ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee (Part 2)/Council

No. prev. doc.: 6254/15
No. Cion doc.: C(2015) 680 final

Subject: Commission Delegated Regulation (EU) No .../..of 13.2.2015 amending Delegated Regulation (EU) No 480/2014 as regards references therein to Regulation (EU) No 508/2014 of the European Parliament and of the Council
- Intention not to raise objections to a delegated act

1. The Commission has submitted the above-mentioned delegated act¹ to the Council in accordance with the procedure set out in Article 290 TFEU and with the third subparagraph of Article 38(4), the second subparagraph of Article 68(1) and the first subparagraph of Article 125(8) of Regulation (EU) No 1303/2013² on 13 February 2015.

¹ Doc. 6254/15 FSTR 10 FC 11 REGIO 11 PECHE 57 AGRISTR 6 SOC 82 EMPL 38 DELACTION 17.

² Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006, OJ L 347, 20.12.2013, p. 320.

The Commission having notified the delegated act with regard to amending the Delegated Regulation (EU) No 480/2014, in order to amend and update the references to Regulation (EU) No 508/2014³ which had previously been expressed in only provisional terms in:

- Article 6(1)(b) of Delegated Regulation (EU) No 480/2014⁴ (as regards specific rules on the role, liabilities and responsibility of bodies implementing financial instruments);
- Article 20(d) of Delegated Regulation (EU) No 480/2014 (as regards types of operations or projects forming part of operations which might make use of the calculation of indirect costs by applying a flat rate established in accordance with Article 29(1) of Regulation (EU) No 1290/2013);
- Article 21(d) of Delegated Regulation (EU) No 480/2014 (as regards types of operations or projects forming part of operations which might make use of the calculation of indirect costs by applying a flat rate established in accordance with Article 124(4) of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council) are replaced by references to the exact provisions of Regulation (EU) No 508/2014; and
- A further legal element of the Delegated Act is the amendment of data field 17 in Annex III to Delegated Regulation (EU) No 480/2014 in order to ensure that the relevant information on whether the operation is implemented under a public-private-partnership structure is also stored in computerised form in the monitoring system with regard to the EMFF,

the Council may object to that delegated act until 13 April 2015.

³ Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council, OJ L 149, 20.5.2014, p. 1–66.

⁴ Commission Delegated Regulation (EU) No 480/2014 of 3 March 2014 supplementing Regulation (EU) No 1303/2013 of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund, OJ L 138, 13.5.2014, p. 5–44.

2. The Structural Actions Working Party has examined the delegated act and agreed that there are no grounds for the Council to object to it.
 3. It is therefore suggested that Coreper recommend that the Council confirm that it has no intention to object to 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 it⁵, the delegated act shall be published and enter into force in accordance with Article 149 of Regulation (EU) No 1303/2013⁶.
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⁵ On 26 February 2015, the European Parliament (at REGI Committee level) had already a discussion and no objections were raised within the deadline.

⁶ OJ L 347, 20.12.2013, p. 410.