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9106/1/15
REV 1

FSTR 28
FC 30
REGIO 41
SOC 337
AGRISTR 36
PECHE 176
CADREFIN 23
EMPL 211
DELECT 52

"I/A" ITEM NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee (Part 2)/Council

No. prev. doc.: 8447/15

No. Cion doc.: C(2015) 2649 final

Subject: COMMISSION DELEGATED REGULATION (EU) .../... of 28.4.2015 laying down, pursuant to Regulation (EU) No 1303/2013 of the European Parliament and of the Council, additional rules on the replacement of a beneficiary and on the related responsibilities, and minimum requirements to be included in Public Private Partnership agreements funded by the European Structural and Investment Funds

- Intention not to raise objections to Commission 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 with the Article 63(4) and Article 64(4) of Regulation (EU) No 1303/2013². The Commission having notified on 29 April 2015 the delegated act with regard to:

¹ Doc. 8447 FSTR 25 FC 27 REGIO 36 SOC 271 AGRISTR 24 PECHE 151 CADREFIN 20 EMPL 159 DELACT 43.

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.

laying down additional rules on the replacement of a beneficiary and on the related responsibilities (Article 63(4)) and

laying down the minimum requirements to be included in Public Private Partnership (PPP) agreements which are necessary for the application of the derogation laid down in paragraph 1 of Article 64 of Regulation (EU) No 1303/2013, including provisions related to the termination of the PPP agreement and for the purpose of ensuring an adequate audit trail (Article 64(4)),

the Council may object to it until 29 June 2015.

2. The Structural Actions Working Party has examined on 8 May 2015 the delegated act and agreed that there are no grounds for the Council to object.
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 it³, the delegated act shall be published and enter into force in accordance with Article 149 of Regulation (EU) No 1303/2013⁴.

³ On 5 May 2015, the Chair of the European Parliament Committee on regional Development (REGI) proposed to the Committee not to ask for an extension of the objection period, and set a deadline of Monday 11 May for Members to send any draft resolution objecting to the act. No objection was raised.

⁴ OJ L 347, 20.12.2013, p. 410.