



Council of the
European Union

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REV 1

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ENV 435

"I/A" ITEM NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

No. Cion doc.: 8756/15 ENER 140 ENV 277

Subject: COMMISSION REGULATION (EU) .../... of XXX
amending Regulation (EC) No 244/2009 with regard to ecodesign requirements for non-directional household lamps and Regulation (EC) No 245/2009 with regard to ecodesign requirements for fluorescent lamps without integrated ballast, for high intensity discharge lamps, and for ballasts and luminaires able to operate such lamps, and repealing Directive 2000/55/EC of the European Parliament and of the Council and Regulation (EU) No 1194/2012 with regard to ecodesign requirements for directional lamps, light emitting diode lamps and related equipment
- 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 6 May 2015, the Council has until 6 August 2015 to decide to oppose the adoption.

¹ 8756/15 ENER 140 ENV 277

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. Delegations were asked to submit any comments on this file by 12 June 2015. Delegations have not provided any indication that there is any reason to oppose the draft measure in question on the grounds described in Decision 1999/468, namely that it:
 - exceeds the implementing powers provided for in the basic instrument;
 - is incompatible with the aim or content of the basic instrument; or
 - does not respect the principles of subsidiarity or proportionality.
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.
4. In relation to the draft measure Sweden submitted a statement to be included in the Council minutes, as set out in Addendum 1 to this Note.
