



Council of the  
European Union

076111/EU XXV. GP  
Eingelangt am 11/09/15

Brussels, 11 September 2015  
(OR. en)

11811/15

FSTR 58  
FC 57  
REGIO 71  
SOC 508  
EMPL 331  
GAF 31  
FIN 595  
AGRISTR 61  
PECHE 287  
CADREFIN 50  
DELACTION 117

**"I/A" ITEM NOTE**

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From: Presidency

To: Permanent Representatives Committee (Part 2)/Council

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No. prev. doc.: 10735/15

No. Cion doc.: C(2015) 4539 final

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Subject: COMMISSION DELEGATED REGULATION (EU) .../... of 8.7.2015 supplementing Regulation (EU) No 1303/2013 of the European Parliament and of the Council with specific provisions on the reporting of irregularities concerning the European Regional Development Fund, the European Social Fund, the Cohesion Fund, and the European Maritime and Fisheries Fund

- Intention not to raise objections to a delegated act

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1. The Commission has submitted the above delegated act<sup>1</sup> to the Council in accordance with the procedure set out in Article 290 TFEU and with Article 122(2) of Regulation (EU) No 1303/2013<sup>2</sup>. The Commission having notified the delegated act laying down additional detailed rules on the criteria for determining the cases of irregularity to be reported and the data to be provided, on 8 July 2015, the Council had until 8 September 2015 to object to it.
2. Given that the Working Party on Structural Actions was not in a position to consider the delegated act before 20 July 2015, which was the date of the last Council meeting before 8 September, the period for raising any objections was extended by two months<sup>3</sup>. The Council may therefore object to the notified delegated act until 8 November 2015.
3. The Structural Actions Working Party has examined on 4 September 2015 the delegated act and agreed that there are no grounds for the Council to object to it.
4. 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 it<sup>4</sup>, the delegated act shall be published and enter into force in accordance with Article 149 of Regulation (EU) No 1303/2013<sup>5</sup>.

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<sup>1</sup> Doc. 10735/15 FSTR 38 FC 39 REGIO 52 SOC 442 EMPL 287 GAF 22 FIN 504 AGRISTR 53 PECHE 245 CADREFIN 32 DELACT 87.

<sup>2</sup> 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, pp 397-398.

<sup>3</sup> Doc. 10880/15 FSTR 43, FC 41, REGIO 56, SOC 451, EMPL 296, GAF 23, FIN 519, AGRISTR 55, PECHE 251, CADREFIN 37, DELACT 94.

<sup>4</sup> Pursuant to Article 24(5) of Regulation (EU) No 1304/2013 on the European Social Fund and Article 290(2)(b) of the Treaty of the Functioning of the EU, The European Parliament has informed the Council of the EU that the deadline for raising objections to the delegated act is extended by two months, until 9 November 2015.

<sup>5</sup> OJ L 347, 20.12.2013, p. 410.