



Brussels, 15 October 2015  
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TRANS 328

**"I/A" ITEM NOTE**

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. prev. doc.:	11744/15 TRANS 273
No. Cion doc.:	11733/15 TRANS 271
Subject:	COMMISSION REGULATION (EU) .../... of XXX adapting to technical progress Council Regulation (EEC) No 3821/85 on recording equipment in road transport - Decision not to oppose the adoption (regulatory procedure with scrutiny)

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1. The Commission submitted the above draft Commission Regulation to the Council for scrutiny in accordance with the procedure set out in Article 5a(3)(a) of Council Decision 1999/468/EC<sup>1</sup>.
2. The Commission having presented the draft Regulation on 4 September 2015, the Council may decide until 4 December 2015 to oppose its adoption, in accordance with Article 17 of Council Regulation (EEC) No 3821/85<sup>2</sup>. The measures provided for in this draft Regulation are in accordance with the opinion of the Committee on Road Transport.

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<sup>1</sup> 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).

<sup>2</sup> Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport (OJ L 370, 31.12.1985, p. 8).

3. The Working Party on Land Transport was invited examine the draft measure and to submit comments by 14 October 2015<sup>3</sup>. Delegations did not provide 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; or
  - is not compatible with the aim or the content of the basic instrument; or
  - does not respect the principles of subsidiarity or proportionality.
4. The Permanent Representatives Committee is therefore invited to recommend to the Council to confirm that there are no grounds for opposing the draft measure. This implies that, unless the European Parliament opposes the draft Regulation within three months from its submission, the Commission shall adopt it in accordance with Article 5a(3)(d) of Council Decision 1999/468/EC.
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<sup>3</sup> Doc. 11744/15 TRANS 273.