



Brussels, 8 January 2016  
(OR. en)

5004/16

EF 2  
ECOFIN 2  
DRS 1  
DELECT 1

### "I/A" ITEM NOTE

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From: General Secretariat of the Council  
To: COREPER II and the Council

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No. prev. doc.: 14885/15 EF 220 ECOFIN 943 DRS 71 DELACT 167  
No. Cion doc.: C(2015) 8379 final

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Subject: COMMISSION DELEGATED REGULATION (EU) .../... of 30.11.2015 supplementing Directive 2003/71/EC of the European Parliament and of the Council with regard to regulatory technical standards for approval and publication of the prospectus and dissemination of advertisements and amending Commission Regulation (EC) No 809/2004  
= 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 Article 11(2) of Regulation (EU) No 1095/2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC.<sup>2</sup>
2. The Commission notified this delegated act on 30 November 2015, indicating that an objection period of one month applied.
3. On 10 December 2015 the Council decided to extend the period for raising objections by one month, i.e. until 30 January 2016. The Commission and the European Parliament were informed thereof.

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<sup>1</sup> Council doc. 14885/15.

<sup>2</sup> OJ L 331, 15.12.2010, p. 84–119.

4. During the silence procedure within the framework of the Working Party on Financial Services, which expired on 8 January 2016, no delegation indicated an intention to object to the delegated act.
  5. 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, the delegated act shall be published and enter into force in accordance with Article 13(2) of Regulation (EC) No 1095/2010.
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