



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 21 January 2014
(OR. en)**

5470/14

AVIATION 14

"I/A" ITEM NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

No. prev. doc.: 16870/13 AVIATION 228

Subject: COMMISSION REGULATION (EU) No .../. of XXX laying down technical requirements and administrative procedures related to air operations of third country operators pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council

1. On 21 November 2013, the Council received COMMISSION REGULATION (EU) No .../. of XXX laying down technical requirements and administrative procedures related to air operations of third country operators pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (doc. 16870/13).
2. Delegations were asked to submit any comments on this file by 17th January 2014. Delegations have not provided any indication that there is any reason to oppose the draft measures in question on the grounds described in Decision 1999/468, namely that they:
 - exceed the implementing powers provided for in the basic instrument;
 - are incompatible with the aim or content of the basic instrument; or

- do not respect the principles of subsidiarity or proportionality.
3. Following the above, COREPER is invited to approve this position and submit the file to Council for the adoption of a Decision not to oppose the measures in question as an "A" item allowing the Commission to adopt the above draft Regulation.
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