



Council of the  
European Union

Brussels, 22 March 2016  
(OR. en)

7312/16

EF 57  
ECOFIN 239  
DELECT 47

#### "I/A" ITEM NOTE

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 2)/Council
No. Cion doc.:	C(2016) 1087
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 26.2.2016 supplementing Regulation (EU) No 596/2014 of the European Parliament and of the Council laying down regulatory technical standards on the criteria, the procedure and the requirements for establishing an accepted market practice and the requirements for maintaining it, terminating it or modifying the conditions for its acceptance - intention not to raise objections to a delegated act

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1. The Commission notified on 26 February 2016 the above delegated act<sup>1</sup> to the Council in accordance with the procedure set out in Article 290 TFEU and with Article 11 (2) of Regulation (EU) No 1095/2010<sup>2</sup>. The Council had until 26 March 2016 to object to it.

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<sup>1</sup> Doc. 6579/16 EF 36 ECOFIN 155 DELACT 28 + ADD 1

<sup>2</sup> Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC; OJ L 331, 15.12.2010, p. 84–119

2. The period for raising any objections was extended by one month<sup>3</sup>. The Council may therefore object to the notified delegated act until 26 April 2016.
3. During the silence procedure within the framework of the Working Party on Financial Services, which expired on 22 March 2016, no delegation indicated an intention to object to the delegated act.
4. It is therefore suggested that Coreper invites the Council to confirm that the Council 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 (EU) No 1095/2010.

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<sup>3</sup> Doc. 6753/16 EF 41 ECOFIN 200 DELACT 33