



Council of the
European Union

Brussels, 28 February 2018
(OR. en)

6630/18

MI 114
ENT 34
COMPET 117
DELECT 38

'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

No. Cion doc.: 5690/18 MI 50 ENT 10 COMPET 44 DELACT 20 + ADD 1 - C(2018) 287
final

Subject: Commission delegated decision on the applicable system to assess and
verify constancy of performance of anchor devices used for construction
works and intended to prevent persons from falling from a height or to
arrest falls from a height pursuant to Regulation (EU) No 305/2011 of the
European Parliament and of the Council
- Intention not to raise objections to a delegated act

1. The Commission has submitted the above delegated act¹ to the Council in accordance with the procedure set out in Article 290 TFEU and Article 60 (h) of Regulation (EU) No 305/2011² laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC. The delegated act is based on Article 28 of that Regulation. The Commission having notified the delegated act to the Council on 25 January 2018, the Council has until 25 April 2018 to object to it.

¹ Council doc. 5690/18 + ADD1.

² OJ L 88, 4 April 2011, p.5.

2. The Working Party on Technical Harmonisation has examined the delegated act by written procedure until 27 February 2018 and has concluded that there are no grounds for the Council to object to it.

 3. It is therefore suggested that the Permanent Representatives Committee recommend that the Council confirm that it has no intention to object 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 60 of Regulation (EU) No 305/2011.
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