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From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

No. Cion doc.: 6254/18 AGRI 86 ENT 28 MI 92 DELACT 32 + ADD 1 - C(2018) 863 final
7145/18 AGRI 134 ENT 48 MI 176 DELACT 53 - C(2018) 1840 final

Subject: COMMISSION DELEGATED REGULATION (EU) .../... of 15.2.2018 amending and correcting Delegated Regulation (EU) 2015/208 supplementing Regulation (EU) No 167/2013 of the European Parliament and of the Council with regard to vehicle functional safety requirements for the approval of agricultural and forestry vehicles and CORRIGENDUM of 21 March 2018 to Commission Delegated Regulation of 15 February 2018 amending and correcting Delegated Regulation (EU) 2015/208 supplementing Regulation (EU) N° 167/2013 of the European Parliament and of the Council with regard to vehicle functional safety requirements for the approval of agricultural and forestry vehicles

- Intention not to raise objections to a delegated act

1. The Commission has submitted the above delegated act **together with a corrigendum thereto** to the Council in accordance with the procedure set out in Article 290 TFEU and with regard to Articles 17(5) and 49(3) of Regulation (EU) No 167/2013 on the approval and market surveillance of agricultural and forestry vehicles. **The changes that are introduced by the corrigendum are not only substantive but are also inseparable from the other provisions of the initial delegated act.** The Commission having notified **the above corrigendum** on 21 March 2018, the Council may, **therefore**, object to **the entire delegated act** until 21 May 2018.

2. On 16 April, Germany announced its intention to object to the **entire** delegated act. Consequently, the Working Party on Technical Harmonisation (Motor Vehicles) examined it on 25 April 2018. Germany outlined the main reasons for its position, namely the road safety risks resulting from the use of wide vehicles such as agricultural vehicles on the secondary road network. However, the Working Party on Technical Harmonisation (Motor Vehicles) did not support the German request and agreed not to object to the delegated act. In addition, Hungary requested an extension of the deadline for possible objection by two months which was not supported by the Working Party on Technical Harmonisation.

 3. It is therefore suggested that the Permanent Representatives Committee recommends to the Council to confirm that it has no intention to object to the **entire** 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 Regulation (EU) No 167/2013.
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