



Brussels, 18 July 2018

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DELECT

COMMUNICATION

WRITTEN PROCEDURE

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Subject: WRITTEN PROCEDURE: Ten (10) Commission Delegated Regulations (EU) of 13.7.2018 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council with regard to regulatory technical standards
= Extension of the objection period

1. On 13 July 2018 the Commission notified to the Council:
 - a) COMMISSION DELEGATED REGULATION (EU) .../... of 13.7.2018 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council with regard to regulatory technical standards specifying further the governance and control requirements for supervised contributors (doc.11188/18)
 - b) COMMISSION DELEGATED REGULATION (EU) No .../... of 13.7.2018 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council with regard to regulatory technical standards for the form and content of the application for recognition with the competent authority of the Member State of reference and of the presentation of information in the notification to European Securities and Markets Authority (ESMA) (doc. 11190/18 + ADD 1)

- c) COMMISSION DELEGATED REGULATION (EU) .../... of 13.7.2018 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council with regard to regulatory technical standards determining the minimum content of cooperation arrangements with competent authorities of third countries whose legal framework and supervisory practices have been recognised as equivalent (doc. 11191/18)
- d) COMMISSION DELEGATED REGULATION (EU) .../... of 13.7.2018 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council with regard to regulatory technical standards for the procedures and characteristics of the oversight function (doc. 11192/18 + ADD 1)
- e) COMMISSION DELEGATED REGULATION (EU) .../... of 13.7.2018 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council with regard to regulatory technical standards specifying further how to ensure that input data is appropriate and verifiable, and the internal oversight and verification procedures of a contributor that the administrator of a critical or significant benchmark has to ensure are in place where the input data is contributed from a front office function (doc. 11193/18)
- f) COMMISSION DELEGATED REGULATION (EU) .../... of 13.7.2018 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council with regard to regulatory technical standards specifying further the elements of the code of conduct to be developed by administrators of benchmarks that are based on input data from contributors (doc.11194/18)
- g) COMMISSION DELEGATED REGULATION (EU) .../... of 13.7.2018 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council with regard to regulatory technical standards specifying further the criteria to be taken into account by competent authorities when assessing whether administrators of significant benchmarks should apply certain requirements (doc.11198/18)
- h) COMMISSION DELEGATED REGULATION (EU) .../... of 13.7.2018 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council with regard to regulatory technical standards specifying further the information to be provided by administrators of critical or significant benchmarks on the methodology used to determine the benchmark, the internal review and approval of the methodology and on the procedures for making material changes in the methodology (doc.11199/18)

- i) COMMISSION DELEGATED REGULATION (EU) No .../... of 13.7.2018 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council with regard to regulatory technical standards for the information to be provided in an application for authorisation and in an application for registration (doc.11201/18 + ADD 1)
 - j) COMMISSION DELEGATED REGULATION (EU) .../... of 13.7.2018 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council with regard to regulatory technical standards specifying further the contents of, and cases where updates are required to, the benchmark statement to be published by the administrator of a benchmark (doc. 11202/18).
2. The Council could object to these delegated acts within a period of one month, i.e. until 13 August 2018.
 3. Considering that no Council meetings are scheduled before 18 September 2018 to take any decision with regard to these delegated acts, it is suggested - in agreement with the Presidency - to recur to a written procedure, pursuant to Article 12 of the Council's Rules of Procedure, to extend the objection period in accordance with Article 13(1) of Regulation (EU) No 1095/2010 by one month, and further by another one month, i.e. until 13 October 2018.
 4. Please state whether you agree:
 - to the use of the written procedure;
 - that the Council decides to extend the objection period by one month, and further by another one month, i.e. until 13 October 2018, with regard to the above-mentioned delegated acts.

5. Please answer "YES" or "NO" to each of the above two questions; you may also reply "ABSTAIN" to the second question.
 6. Any unilateral statements should be made separately.
 7. Replies must reach the General Secretariat of the Council by 12h00 (CET) on Wednesday, 25 July 2018. They should be sent by e-mail to:
dgg.finserv.level2measures@consilium.europa.eu with a copy to Mr Olli Mattila:
olli.mattila@consilium.europa.eu
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