



Brussels, 13 December 2018
(OR. en)

15279/18

ENV 866
MI 956
DELECT 172

'I/A' ITEM NOTE

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| From: | General Secretariat of the Council |
| To: | Permanent Representatives Committee/Council |
| No. Cion doc.: | 14561/18 + ADD 1 - C(2018) 7505 final + Annex |
| Subject: | Commission Delegated Directive (EU) .../... of 16.11.2018 amending, for the purposes of adapting to scientific and technical progress, Annex III to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead as activator in the fluorescent powder of discharge lamps containing phosphors - Intention not to raise objection 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 in particular Article 5(1)(a) of Directive 2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment². The Commission having notified the delegated act on 19 November 2018, the Council may object to it until 21 January 2019.

¹ Doc. 14561/18 + ADD 1.
² OJ L 174, 1.7.2011, p. 88.

2. The Working Party on Environment has examined the delegated act through an informal written procedure and agreed that there are no grounds for the Council to object it.

 3. It is therefore suggested that Coreper recommends that the Council confirms that it 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 on the twentieth day following its publication in the Official Journal of the European Union in accordance with Article 3 of the Delegated Directive.
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