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(OR. en)

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CLIMA 30  
ENV 83  
ENER 39  
TRANS 54  
IND 23  
COMPET 76  
MI 71  
ECOFIN 69  
DELECT 11

#### 'I/A' ITEM NOTE

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From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

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No. Cion doc.: 15801/18 - C(2018) 8664 final + ADD 1 - Annexes

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Subject: COMMISSION DELEGATED REGULATION (EU) .../... of 19.12.2018 determining transitional Union-wide rules for harmonised free allocation of emission allowances pursuant to Article 10a of Directive 2003/87/EC of the European Parliament and of the Council

– Intention not to raise objection to a delegated act

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1. The Commission has submitted the above delegated act<sup>1</sup> to the Council in accordance with the procedure set out in Article 290 TFEU and in particular the Articles 10a(1) of Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC<sup>2</sup>. The Commission having notified the delegated act on 19 December 2018, the Council may object to it until 19 February 2019.

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<sup>1</sup> Doc. 15801/18 + ADD 1.

<sup>2</sup> OJ L 275, 25.10.2003, p. 32.

2. The Working Party on Environment has examined the delegated act 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 day following that of its publication in the Official Journal of the European Union in accordance with Article 28 of the Delegated Regulation.
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