



Council of the
European Union

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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. Cion doc.:	7685/19
Subject:	COMMISSION DIRECTIVE (EU) .../... of XXX amending, for the purpose of its adaptation to technical progress, the Annex to Council Directive 80/181/EEC as regards the definitions of SI base units - Decision not to oppose adoption

1. Article 16 of Directive 2009/34/EC of the European Parliament and of the Council of 23 April 2009 relating to common provisions for both measuring instruments and methods of metrological control¹ provides for a procedure to amend the annexes to separate Directives in the field of measuring instruments and metrological control.

¹ OJ L 106, 28.4.2009, p. 7.

2. Therefore, in accordance with Article 5a(2) of Council Decision 1999/468/EC², the Committee for Adjustment to Technical Progress of the Directives referred to in Article 16 of Directive 2009/34/EC was consulted on 12 March 2019. It approved the draft Directive with unanimity.
3. Consequently, the Commission submitted the above draft Directive³ to the Council on 14 March 2019, in accordance with Article 5a(3)(a) of Council Decision 1999/468/EC.
4. Under the regulatory procedure with scrutiny, the Council, acting by qualified majority, may oppose the Commission's adoption of the draft legal act on the grounds that the a draft measure presented by the Commission:
 - exceeds the implementing powers provided for in the basic instrument, or
 - is not compatible with the aim or the content of the basic instrument, or
 - does not respect the principles of subsidiarity or proportionality.
5. The delegations were asked on 19 March 2019 to indicate their possible opposition to the draft Directive before 15 April 2019. By that deadline, no delegation raised any of the above-mentioned grounds for opposition.
6. The Permanent Representatives Committee is therefore invited to recommend to the Council to confirm, as an "A" item of its agenda, that it is not opposed to the draft Regulation in subject.

² Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23), as amended by Decision 2006/512/EC (JO L 200, 22.7.2006, p. 11).

³ Doc. 7685/19.