



Brussels, 16 June 2022
(OR. en)

10267/22

MI 479
COMPET 502
IND 234
TRANS 392
DELECT 89

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. Cion doc.:	ST 8830/22 - C(2022) 2804 Final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 5.5.2022 supplementing Regulation (EU) 2018/858 of the European Parliament and of the Council as regards the procedure for the imposition of administrative fines and the methods for their calculation and collection - Intention not to raise objections

1. On 5 May 2022, the Commission submitted the above draft Delegated Regulation to the Council in accordance with Article 85(2) of Regulation (EU) 2018/858¹. The Commission is empowered to lay down the procedure and methods for the calculation and collection of the administrative fines that can be imposed on economic operators for non-compliance of a vehicle, system, component or a separate technical unit.

¹ Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (OJ L 151, 14.6.2018, p. 1)

2. Member States are no longer the solely responsible for penalising economic operators who infringe the law. The Commission can establish that a corrective or restrictive measure is necessary at Union level. After consulting the Member States concerned and the relevant economic operators, the Commission will decide whether to impose corrective or restrictive measures at Union level in accordance with Article 53 of Regulation (EU) 2018/858.
 4. Delegations had until 7 June 2022 to object to the delegated act. By this deadline, no delegation raised any objection and none made any comments. After the two-month period for scrutiny expires on 5 July 2022, the delegated act will be adopted.
 5. Against this background, the Permanent Representatives Committee is invited to recommend to the Council to confirm the non-opposition to the draft Delegated Regulation, as set out in document ST 8830/22 as an item without discussion at one of its forthcoming meetings.
-