



Brussels, 28 September 2023
(OR. en)

13413/23

ENT 198
MI 788
COMPET 918
TELECOM 278
ECO 64
DELECT 143

'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

No. Cion doc.: ST 12500/23 - C(2023) 4823 Final

Subject: Commission Delegated Regulation (EU) .../... of 20.7.2023 amending Delegated Regulation (EU) 2022/30 as regards the date of application of the essential requirements for radio equipment and correcting that Regulation
- Intention not to raise objections to a delegated act

1. On 21 August 2023, the Commission submitted the above draft Delegated Regulation to the Council, in accordance with Article 3 of the Radio Equipment Directive 2014/53/EU (RED)¹.
2. On the basis of the above Article 3, the Commission adopted Delegated Regulation (EU) 2022/30² which entered into force on 1 February 2022, and will become applicable from 1 August 2024.

¹ Directive 2014/53/EU of the European Parliament and of the Council of 16 April 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC (OJ L 153, 22.5.2014, p. 62–106), Current consolidated version – 27/12/22.

² Commission Delegated Regulation (EU) 2022/30 supplementing Directive 2014/53/EU with regard to the application of the essential requirements referred to in Article 3(3), points (d), (e), and (f) of that Directive (OJ L 7, 12.1.2022, p. 6).

3. The objective of this draft Delegated Regulation is to amend Delegated Regulation (EU) 2022/30 in order to defer the application of its provisions so that the European Standardisation Organisations can have sufficient time to address the complex matters and problems concerning the preparation of the relevant harmonised standards. The other objective of the draft Delegated Regulation is to correct an error in Delegated Regulation (EU) 2022/30.
 4. On 30 August 2023, delegations were asked to indicate their possible objections to the draft Delegated Regulation by 26 September 2023. No delegation raised grounds for objection.
 4. Against this background, the Permanent Representatives Committee is invited to recommend to the Council to confirm the non-objection to the draft Delegated Regulation, as set out in document ST ST 12500/23 as an item without discussion at one of its forthcoming meetings, 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 adopted after 22 October 2023, in accordance with Article 17(3) of Regulation (EU) 2021/690.
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