



Brussels, 7 December 2023
(OR. en)

16467/23

ENV 1457
MI 1094
DELECT 199

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. Cion doc.:	14775/23 + ADD 1 - COM(2023) 7088 final + Annex
Subject:	COMMISSION DELEGATED DIRECTIVE (EU) .../... of 25.10.2023 amending Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for cadmium and lead in plastic profiles in electrical and electronic windows and doors containing recovered rigid polyvinyl chloride - Intention not to raise objection

1. The Commission has submitted the abovementioned delegated act¹ to the Council in accordance with the procedure set out in Article 290 TFEU and in particular Article 5(1), point (a) of Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment.²
2. The Commission notified the delegated act on 25 October 2023, therefore, the Council may object to it until 26 December 2023.

¹ 14775/23 + ADD1.

² OJ L 174, 1.7.2011, p. 88.

3. The Working Party on Environment examined the delegated act through an informal consultation procedure and at its meeting held on 7 December 2023. Delegations considered there were no grounds for the Council to object to the delegated act within the established deadline.
4. After expiry of the two months period for objection, and unless the European Parliament objects to it, the delegated act shall be published and shall 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.
5. In view of the above, the Permanent Representatives Committee (Part 1) is invited to recommend to the Council to confirm its intention not to raise an objection to the Delegated Directive set out in document 14775/23 + ADD1, as an “A” item, at one of its forthcoming meetings.
