



Brussels, 11 December 2020
(OR. en)

13883/20

UD 384
DELECT 168
PREP-BXT 53
UK 97

'I' ITEM NOTE

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

No. Cion doc.: 13263/20

Subject: COMMISSION DELEGATED REGULATION (EU) .../... of 20.11.2020 amending Delegated Regulation (EU) 2015/2446 as regards the time-limits for lodging entry summary declarations and pre-departure declarations in case of transport by sea from and to the United Kingdom of Great Britain and Northern Ireland, the Channel Islands and the Isle of Man

- Intention not to raise objections
- Decision to use the written procedure

1. On 20 November 2020, the Commission notified the above mentioned delegated regulation to the Council¹, in accordance with the procedure set out in Article 290 TFEU and in Articles 131(b) and 265(a) of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code².
2. In accordance with Article 284(5) of Regulation (EU) No 952/2013, the Council may object to the delegated act within two months of notification, i.e. until 21 January 2021.
3. On 26 November 2020, with a view to ensuring that the EU legal framework is adjusted in time before the end of the transition period in the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community³, the Commission invited the Council to examine the delegated

¹ Doc. ST 13265/20.

² OJ L 269, 10.10.2013, p. 1.

³ OJ L 29, 31.1.2020, p. 7.

regulation in an accelerated manner to provide a reaction to the Commission by 21 December 2020, at the latest.

4. Following the silence procedure within the framework of the Working Party on Customs Union which expired on 8 December 2020, no delegation indicated an intention to object to the delegated act in question.
5. In view of the above, the Permanent Representatives Committee is invited to:
 - recommend 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, if the European Parliament also confirms that it has no intention to object, the delegated act shall be published and enter into force in accordance with Article 284(5) of Regulation (EU) No 952/2013 of the European Parliament and of the Council;
 - to decide, given the current exceptional circumstances, in accordance with the first subparagraph of Article 12(1) of the Council's Rules of Procedure and Article 1 of Council Decision 2020/430, as extended by Council Decision (EU) 2020/1659, that the Council uses the written procedure for the approval of the wording of the letter to be sent to the European Parliament and the Commission expressing the Council's intention not to object to the delegated act, as set out in document 13975/20.
