



Council of the  
European Union

Brussels, 14 September 2017  
(OR. en)

12092/17

EF 191  
ECOFIN 718  
DELECT 154

#### 'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 2)/Council
No. Cion doc.:	C(2017) 5812 final
Subject:	Commission Delegated Regulation (EU) .../... of 28.8.2017 amending Delegated Regulation (EU) 2017/565 as regards the specification of the definition of systematic internalisers for the purposes of Directive 2014/65/EU - intention not to raise objections to a delegated act

1. The Commission notified on 28 August 2017 the above delegated act<sup>1</sup> to the Council in accordance with the procedure set out in Article 290 TFEU and with Article 89 (4) of Directive 2014/65/EU<sup>2</sup>. The Council has 3 months, i.e. until 28 November 2017 to object to it.

<sup>1</sup> Doc. 11771/17 EF 179 ECOFIN 689 DELECT 145

<sup>2</sup> Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU; OJ L 173, 12.6.2014, p. 349–496

2. During the silence procedure within the framework of the Working Party on Financial Services, which expired on 13 September 2017, no delegation indicated an intention to object to the delegated act.
  3. It is therefore suggested that Coreper invites the Council to confirm that the Council 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, unless the European Parliament objects to it, the delegated act shall be published and enter into force in accordance with Article 89 (5) of Directive 2014/65/EU.
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