



Council of the
European Union

Brussels, 23 November 2021
(OR. en)

13824/21

LIMITE

ENER 486
RELEX 965
COWEB 148
COEST 278

Interinstitutional File:
2021/0362 (NLE)

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the position to be adopted on behalf of the European Union within the Permanent High Level Group of the Energy Community and within the Ministerial Council of the Energy Community as regards the adoption of certain acts

COUNCIL DECISION (EU) 2021/...

of ...

**on the position to be adopted on behalf of the European Union
within the Permanent High Level Group of the Energy Community
and within the Ministerial Council of the Energy Community
as regards the adoption of certain acts**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Energy Community Treaty was concluded by the Union by Council Decision 2006/500/EC¹ and entered into force on 1 July 2006.
- (2) Pursuant to Articles 47 and 76 of the Energy Community Treaty, the Ministerial Council of the Energy Community ('the Ministerial Council') may adopt measures taking the form of a Decision or a Recommendation.
- (3) Pursuant to its Decision D/2011/02/MC-EnC, the Ministerial Council has empowered the Permanent High Level Group of the Energy Community ('the Permanent High Level Group') to adopt network codes and guidelines which were previously adopted by the European Commission under the Third Energy Package.
- (4) The Permanent High Level Group, during its 62nd meeting on 29 November 2021, is to adopt the act set out in a draft Decision of the Permanent High Level Group attached to this Decision.

¹ OJ L 198, 20.7.2006, p. 15.

- (5) The Ministerial Council, during its 19th session on 30 November 2021, is to adopt a number of acts listed in a draft Decision of the Ministerial Council attached to this Decision.
- (6) The purpose of those acts is to facilitate the achievement of the objectives of the Energy Community Treaty and to facilitate the functioning of the Energy Community Secretariat, one of the tasks of which is to provide administrative support to the Ministerial Council.
- (7) It is appropriate to establish the position to be adopted on the Union's behalf in the Permanent High Level Group and in the Ministerial Council as regards the adoption of certain acts, as those acts will have legal effects on the Union,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted on the Union's behalf at the 62nd meeting of the Permanent High Level Group, on 29 November 2021, shall be based on the draft Decision of the Permanent High Level Group attached to this Decision.

Article 2

The position to be adopted on the Union's behalf at the 19th session of the Ministerial Council, on 30 November 2021, shall be based on the draft Decision of the Ministerial Council attached to this Decision.

Article 3

This Decision is addressed to the Commission.

Article 4

This Decision shall enter into force on the date of its adoption.

Done at ...,

For the Council

The President
