



Brussels, 29 January 2016
(OR. en)

5688/16

TRANS 33

"I/A" ITEM NOTE

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| From: | General Secretariat of the Council |
| To: | Permanent Representatives Committee/Council |
| No. prev. doc.: | 14879/15 |
| No. Cion doc.: | 14877/15 + ADD 1 |
| Subject: | COMMISSION REGULATION (EU) No .../.. of XXX supplementing Regulation (EC) No 1071/2009 of the European Parliament and of the Council with regard to the classification of serious infringements of the Union rules, which may lead to the loss of good repute by the road transport operator and amending Annex III to Directive 2006/22/EC of the European Parliament and of the Council (Text with EEA relevance) - Decision not to oppose adoption (Regulatory procedure with scrutiny) |

1. The Commission has submitted the above draft Commission Regulation to the Council for scrutiny in accordance with the procedure set out in Article 5a(3)(a) of Council Decision 1999/468/EC¹.

¹ Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).

2. The Commission having submitted the draft Regulation on 28 November 2015, the Council may decide until 28 February 2016 to oppose its adoption, in accordance with Article 6(2) of Regulation (EC) No 1071/2009². The measures provided for in this draft Regulation are in accordance with the opinion of the relevant Committee.
3. The Working Party on Land Transport was invited to examine the draft measures and to submit comments by 13 January 2016³. The Austrian delegation indicated that it opposes the draft measures in question and submitted a statement set out in the addendum to this note.
4. Consequently, it is suggested that Coreper recommend to the Council to:
 - confirm that there are no grounds for opposing the draft measures; and
 - include the statement by Austria set out in the addendum to this note in its minutes.
5. This implies that, unless the European Parliament opposes the draft Regulation within three months from its submission, the Commission shall adopt it in accordance with Article 5a(3)(d) of Council Decision 1999/468/EC.

² Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ L 300, 14.11.2009, p. 51).

³ Doc. 14879/15 TRANS 398.