



Brussels, 27 April 2023  
(OR. en)

8744/23

MI 330  
COMPET 361  
TELECOM 111  
CONSOM 142  
JAI 507  
CT 78  
PI 50  
AUDIO 37  
DELECT 54

**'I/A' ITEM NOTE**

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. Cion doc.:	ST 7080/23 + COR 1 + ADD 1 - C(2023) 1257 Final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 2.3.2023 supplementing Regulation (EU) 2022/2065 of the European Parliament and of the Council with the detailed methodologies and procedures regarding the supervisory fees charged by the Commission on providers of very large online platforms and very large online search engines - Intention not to raise objections to a delegated act

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1. On 2 March 2023, the Commission submitted the above draft Delegated Regulation to the Council, in accordance with Article 43 of Regulation (EU) 2022/2065 (Digital Services Act, DSA)<sup>1</sup> which sets the basic criteria for the determination of the supervisory fee.

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<sup>1</sup> Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act) (OJ L 277, 27.10.2022, p. 1)

2. Article 43 of Regulation (EU) 2022/2065 requires the Commission to charge providers of very large online platforms and of very large online search engines annual supervisory fees, the overall amount of which is to cover all estimated costs, as reasonably determinable beforehand, that the Commission incurs regarding the supervisory tasks under that Regulation.
3. The delegated act includes definitions, the yearly procedure, an estimation of overall costs, an annual identification of designated services, and transitional provision. It also includes formulas for basic amount per service and overall amount of supervisory fee, payment modalities, reporting of costs and fees charged, and financial consequences in case of non-payment.
4. On 3 March 2023, delegations were asked to indicate their possible opposition to the above draft Delegated Regulation by 25 April 2023. No delegation raised any relevant grounds for opposition within the deadline period. The official three-month deadline for scrutiny expires on 3 June 2023, after which the delegated act will be adopted.
5. Against this background, the Permanent Representatives Committee is invited to recommend to the Council to confirm the non-opposition to the draft Delegated Regulation, as set out in document ST 7080/23 + COR 1 + ADD1 as an item without discussion at one of its forthcoming meetings.

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