



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 22 November 2012

16649/12

**STATIS 91
ECOFIN 979**

“I/A” ITEM NOTE

from: General Secretariat of the Council
to: COREPER/Council

Subject: Draft Commission Regulation of [...] amending Regulation (EC) No 2214/96 concerning harmonised indices of consumer prices (HICP): transmission and dissemination of sub-indices of the HICP, as regards establishing harmonised indices of consumer prices at constant tax rates
- Decision not to oppose the draft measures proposed by the Commission (regulatory procedure with scrutiny)

1. On 11 October 2012, the Commission submitted to the Council the above draft regulation of [...] amending Regulation (EC) No 2214/96 concerning harmonised indices of consumer prices (HICP): transmission and dissemination of sub-indices of the HICP, as regards establishing harmonised indices of consumer prices at constant tax rates set out in document 15497/12 STATIS 77 ECOFIN 883, drawn up under the regulatory procedure with scrutiny, introduced by Council Decision 2006/512/EC. The measures provided for in the draft regulation are in accordance with the opinion of the European Statistical System Committee (ESS Committee).

2. Under the procedure in Article 5a(3) of Council Decision 1999/468/EC¹, such draft measures are submitted for scrutiny by the European Parliament and the Council before being formally adopted by the Commission. Acting by a qualified majority within three months from the date of referral to it, the Council may oppose the adoption of the draft measures by the Commission, if those measures exceed the implementing powers provided for in the basic instrument, are not compatible with the aim or content of the basic instrument or do not comply with the principles of subsidiarity and proportionality.
3. Following an informal written procedure, the Working Party on Statistics agreed not to oppose the draft measures in question. The delegation of the Netherlands has indicated its intention to vote against the draft measures.
4. COREPER could therefore:
 - confirm the agreement reached by the Working Party.
 - order the statement in the Addendum to this note to be entered in the minutes of the meeting
 - suggest that the Council decide at a forthcoming meeting not to oppose the draft measures proposed by the Commission, as set out in document 15497/12.

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), as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).