



**COUNCIL OF
THE EUROPEAN UNION**

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"I/A" ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Proposal for a Directive of the European Parliament and of the Council on attacks against information systems and repealing Council Framework Decision 2005/222/JHA (**first reading**)
- Adoption of the legislative act (**LA**)

1. On 30 September 2010 the Commission sent the above proposal^{1 2 3}, based on Article 83(1) TFEU, to the Council.
2. The European Economic and Social Committee delivered its opinion on 4 May 2011⁴.

¹ 14436/10.

² In accordance with Article 3 of the Protocol on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, these Member States have notified their wish to take part in the adoption and application of this Decision.

³ In accordance with Articles 1 and 2 of the Protocol on the position of Denmark, Denmark is not taking part in the adoption of this Directive and is not bound by it or subject to its application.

⁴ OJ C 218, 23.7.2011, p. 130.

3. In accordance with the provisions of the Joint Declaration on practical arrangements for the codecision procedure⁵, informal contacts were initiated between the Council, the European Parliament and the Commission with the aim of reaching agreement at first reading.
4. The European Parliament adopted its position at first reading on 4 July 2013, making one amendment to the Commission proposal. The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council⁶.
5. The Permanent Representatives Committee is therefore asked to confirm its agreement and to suggest that the Council adopt the Directive, as set out in 38/12, as an "A" item at a forthcoming meeting.

If the Council approves the European Parliament's position, the legislative act will be adopted.

After being signed by the President of the European Parliament and the President of the Council, the legislative act will be published in the Official Journal of the European Union.

⁵ OJ C 145, 30.6.2007, p. 5.

⁶ 11680/13.