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'I/A' ITEM NOTE

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

Subject: Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on establishing a framework for interoperability between EU information systems in the field of borders and visa and amending Regulations (EC) No 767/2008, (EU) 2016/399, (EU) 2017/2226, (EU) 2018/1240, (EU) 2018/1726 and (EU) 2018/1861 of the European Parliament and of the Council and Council Decisions 2004/512/EC and 2008/633/JHA (**first reading**)
- Adoption of the legislative act

1. On 12 December 2017 the Commission sent the above proposal¹, based on Article 16(2), Article 74 and Article 77(2)(a), (b), (d) and (e) TFEU²³⁴, to the Council.

¹ 15119/17 + COR 1.

² In accordance with Articles 1 and 2 of Protocol No 22, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

³ In accordance with Council Decision 2000/365/EC, the United Kingdom is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

⁴ In accordance with Council Decision 2002/192/EC, Ireland is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

2. The European Economic and Social Committee delivered its opinion on 23 May 2018⁵.
3. The European Data Protection Supervisor delivered its opinion on 16 April 2018⁶.
4. On 13 June 2018 the Commission amended its proposal⁷.
5. The European Economic and Social Committee delivered its opinion on the amended proposal on 17 October 2018⁸.
6. On 16 April 2019 the European Parliament adopted its position at first reading on 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 Council⁹.
7. The Permanent Representatives Committee is therefore asked to confirm its agreement and to suggest that the Council approve the European Parliament's position, as set out in PE-CONS 30/19, 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 283, 10.8.2018, p. 48.

⁶ OJ C 233, 4.7.2018, p. 12.

⁷ 10178/18.

⁸ OJ C 62, 15.2.2019, p. 309.

⁹ 7752/19.