



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 18 July 2013  
(OR. en)**

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**Interinstitutional File:  
2010/0273 (COD)**

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**"I/A" ITEM NOTE**

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

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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 + S**)  
= Statement

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**Statement by Germany and Austria**

Article 11 may not be understood as meaning that Member States are required to provide for criminal sanctions against legal persons. Member States are rather free to provide for criminal fines or non-criminal fines against legal persons when implementing Article 11.