



Brussels, 13 July 2018
(OR. en)

11034/18

Interinstitutional Files:
2016/0357(COD)
2016/0357/B(COD)

CODEC 1265
FRONT 225
VISA 186
DAPIX 232
COMIX 394

'I' ITEM NOTE

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

Subject: Draft Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/794 for the purpose of establishing a European Travel Information and Authorisation System (ETIAS)
- Decision to use the written procedure for the adoption of the legislative act

1. On 16 November 2016, the Commission sent the above proposal¹, based on Article 77(2), Article 87(2) and Article 88(2)TFEU, to the Council²³⁴.
2. The European Economic and Social Committee delivered its opinion on 26 April 2017⁵.

¹ 14082/16.

² In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, 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.

⁵ JO C/2017/246/28.

3. The European Parliament adopted its position at first reading on the Commission proposal on 5 July 2018. The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council⁶.
 4. Given the need to sign the act during the September plenary, it will only be possible to adopt the Regulation via the written procedure, which would be launched on **Monday 3 September 2018 at 9.00** and would end on **Wednesday 5 September at 12.00**.
 5. The Permanent Representatives Committee is asked to agree to the use of the written procedure for the adoption of the Regulation as set out in PE-CONS 22/18⁷.
-

⁶ 10545/18.

⁷ Not yet available.