



Brussels, 5 October 2018  
(OR. en)

---

---

**Interinstitutional File:**  
**2016/0414(COD)**

---

---

12230/1/18  
REV 1

CODEC 1480  
JAI 889  
COPEN 302  
DROIPEN 132  
CT 146

#### 'I/A' ITEM NOTE

---

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

---

Subject: Draft Directive of the European Parliament and of the Council on combating money laundering by criminal law **(first reading)**  
- Adoption of the legislative act

---

1. On 22 December 2016 the Commission sent the above proposal<sup>1</sup>, based on Article 83(1) TFEU<sup>23</sup>, to the Council.
2. On 12 September 2018 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 Council<sup>4</sup>.

---

<sup>1</sup> 15782/16.

<sup>2</sup> In accordance with Articles 1 and 2 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, and without prejudice to Article 4 of that Protocol, those Member States are not taking part in the adoption of this Directive and are not bound by it or subject to its application.

<sup>3</sup> 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 Directive and is not bound by it or subject to its application.

<sup>4</sup> 11519/18.

3. 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 30/18, as an "A" item at a forthcoming meeting, with Germany voting against and Slovenia abstaining;
- order that the statement in the addendum 1 to this note be entered in the minutes of that 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.

---