



Brussels, 14 December 2017
(OR. en)

15745/17

Interinstitutional File:
2016/0190 (CNS)

JUSTCIV 290
DATAPROTECT 217

'I' ITEM NOTE

From:	Presidency
To:	Permanent Representatives Committee (Part 2)
Subject:	Proposal for a Council Regulation on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction (recast) - Consultation of the European Data Protection Supervisor ¹

1. On 30 June 2016, the Commission submitted to the Council a proposal for a COUNCIL Regulation on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction (recast).
2. The proposal suggests introducing rules on how the information collected by Central Authorities dealing with cross border cases may be further used and how notification of the data subjects should be done - see Article 63(3) and (4) of the Proposal.
3. The discussions held so far in the Council Working Party on Civil Law Matters (Brussels IIa) show that the proposal raises a number of questions on the relationship between the proposed Recast and the Union law on the protection of personal data, in particular the General Data Protection Regulation.
4. The Commission did not consult the EDPS when it prepared its legislative proposal.

¹ The sole purpose of this note is to decide on the consultation of another institution/body and not on the substance.

5. Coreper is therefore invited to decide, pursuant to Article 19(7)(h) of the Council's Rules of Procedure, to consult the EDPS on the data protection questions raised by the above-mentioned proposal and to request that the EDPS give its written opinion as soon as possible, and in any event at the latest by 16 February 2018.
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