



Brussels, 11 June 2019  
(OR. en)

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**Interinstitutional File:**  
**2018/0113(COD)**

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9322/1/19  
REV 1

CODEC 1085  
DRS 41  
IA 153

#### 'I/A' ITEM NOTE

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

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Subject: Draft DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive (EU) 2017/1132 as regards the use of digital tools and processes in company law **(first reading)**  
- Adoption of the legislative act

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1. On 25 April 2018 the Commission sent the proposal<sup>1</sup>, based on Article 50(1) and points (b), (c), (f) and (g) of Article 50(2) TFEU, to the Council.
2. The European Economic and Social Committee delivered its opinion on 17 October 2018<sup>2</sup>.
3. European Data Protection Supervisor delivered its opinion on 26 July 2018<sup>3</sup>.
4. On 18 April 2019 the European Parliament adopted its position at first reading on the Commission proposal. The outcome of voting in the European Parliament<sup>4</sup> reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council.

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<sup>1</sup> 8560/18.

<sup>2</sup> OJ C 62, 15.2.2019, p. 24.

<sup>3</sup> OJ C 324, 13.9.2018, p. 13.

<sup>4</sup> 8452/19.

5. 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 25/19, as an "A" item at a forthcoming meeting;
  - decide that the statement in the addendum 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.

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