



Brussels, 7 October 2019
(OR. en)

Interinstitutional File:
2018/0106(COD)

12460/2/19
REV 2

CODEC 1415	ENFOCUSTOM 158
FREMP 133	AGRI 449
JAI 977	ETS 30
TELECOM 304	SERVICES 42
COMPET 642	TRANS 451
RC 23	FISC 369
CONSOM 254	SAN 405
DAPIX 269	ENV 795
DATAPROTECT 215	GAF 69
DROIPEN 143	ATO 81
FIN 601	CYBER 261
EMPL 478	COPEN 366
MI 663	POLGEN 162
PI 131	INF 259
SOC 630	ANIMAUX 18

'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 the protection of persons who report breaches of Union law (**first reading**)
- Adoption of the legislative act

1. On 23 April 2018, the Commission submitted its proposal ¹, based on Articles 16, 33, 43, 50, 53(1), 62, 91, 100, 103, 109, 114, 168, 169, 192, 207 and 325 of the Treaty on the Functioning of the European Union (TFEU) and Article 31 of the Treaty establishing the European Atomic Energy Community (the Euratom Treaty), to the Council.
2. The European Economic and Social Committee delivered its opinion on 17 October 2018 ².

¹ 8713/18.

² OJ C 62, 15.2.2019, p. 155.

3. On 16 April 2019, the European Parliament adopted its position at first reading on the Commission proposal (without legal linguistic revision). After finalisation of the adopted text by the legal linguists, the Parliament approved a corrigendum to that position at its plenary session from 16 to 19 September 2019. It reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council ³.
4. 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 78/19, as an "A" item at a forthcoming meeting, with the United Kingdom and Germany abstaining;
 - decide that the statements 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.

³ 8487/19.