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From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 2)
No. Cion doc.:	12429/22 + ADD 1-6
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on horizontal cybersecurity requirements for products with digital elements and amending Regulation (EU) 2019/1020 - Optional consultation of the Committee of the Regions ¹

1. On 15 September 2022, the Commission submitted to the Council a proposal for a Regulation of the European Parliament and of the Council on horizontal cybersecurity requirements for products with digital elements and amending Regulation (EU) 2019/1020.
2. The proposal aims at harmonising cybersecurity requirements for products with digital elements in all Member States and to remove obstacles to the free movement of goods. The proposal has two main objectives aiming to ensure the proper functioning of the internal market: (1) create conditions for the development of secure products with digital elements by ensuring that hardware and software products are placed on the market with fewer vulnerabilities and that manufactures take security seriously throughout a product's life cycle; and (2) create conditions allowing users to take cybersecurity into account when selecting and using products with digital elements.

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

3. The proposal is based on Article 114 of the Treaty on the functioning of the European Union, which provide for the European Parliament and for the Council to act in accordance with the ordinary legislative procedure and after consulting the Economic and Social Committee.
 4. The opinion of the Committee of the Regions is not required. However, considering that the proposed Regulation would mandate cybersecurity requirements for products with digital elements (hardware and software) accessing the internal market, it would also be relevant for supply chain security aspects in relation to such products used by regional and local public administration entities, including the procurement processes of such products. It therefore appears appropriate to also consult the Committee of the Regions on the present proposal.
 5. The Permanent Representatives Committee is therefore invited to decide, in accordance with Article 19(7)(h) of the Council's Rules of Procedure, to consult the Committee of the Regions on the above proposal and to request it to give its opinion as soon as possible.
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