



Brussels, 2 December 2022  
(OR. en)

15415/22

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**Interinstitutional File:  
2020/0365(COD)**

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CODEC 1869  
PROCIV 147  
ENV 1238  
JAI 1606  
SAN 642  
COSI 312  
CHIMIE 99  
ENFOPOL 614  
RECH 639  
CT 218  
DENLEG 92

COTER 296  
RELEX 1636  
ENER 648  
HYBRID 113  
TRANS 763  
CYBER 394  
TELECOM 509  
ESPACE 123  
ATO 101  
CSC 558  
ECOFIN 1275

#### '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 on the resilience of critical entities and repealing Council Directive 2008/114/EC **(first reading)**  
- Adoption of the legislative act

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1. On 16 December 2020 the Commission sent its proposal<sup>1</sup>, based on Article 114 TFEU, to the Council.
2. The European Economic and Social Committee delivered its opinion on 27 April 2021<sup>2</sup>.
3. The Committee of the Regions delivered its opinion on 1 July 2021<sup>3</sup>.
4. The European Data Protection Supervisor delivered his formal comments on 13 August 2021<sup>4</sup>.

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<sup>1</sup> 14262/20 + ADD 1-4.

<sup>2</sup> OJ C 286, 16.7.2021, p. 170.

<sup>3</sup> OJ C 440, 29.10.2021, p. 99.

<sup>4</sup> 11280/21.

5. On 22 November 2022 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>5</sup>.
6. 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 51/22, as an 'A' item at a forthcoming meeting.
7. If the Council approves the European Parliament's position, the legislative act will be adopted.

After being signed by the Presidents of the European Parliament and of the Council, the legislative act will be published in the *Official Journal of the European Union*.

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<sup>5</sup> 15169/22.