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'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 exchange of information between the law enforcement authorities of Member States and repealing Council Framework Decision 2006/960/JHA (**first reading**)
- Adoption of the legislative act

1. On 8 December 2021 the Commission submitted its proposal¹, based on Article 87(2), point (a) TFEU, to the Council.
2. The European Data Protection Supervisor delivered its opinion on 7 March 2022².
3. The European Economic and Social Committee delivered its opinion on 18 May 2022³.
4. On 15 March 2023 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 Council⁴.

¹ 14205/21 + ADD 1 to 3.

² OJ C 154, 8.4.2022, p. 7–9.

³ OJ C 323, 26.8.2022, p. 69–76.

⁴ 7378/23.

5. The Permanent Representatives Committee is therefore asked to confirm its agreement and to suggest that the Council⁵ approve the European Parliament's position, as set out in PE-CONS 70/22, as an "A" item at a forthcoming meeting, with Austria and Germany abstaining.
6. The statement for the minutes of the Council meeting is set out in the Addendum to this note.
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*.

⁵ Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.